



Covered Bridge Capital of the West

City of Scio

P. O. Box 37

Scio, OR 97374

Phone: 503-394-3342

Fax: 503-394-2340

Scio Planning Commission – In Person & Electronic Meeting

Scio City Hall - 38957 NW 1st Avenue, Scio, Oregon

The COVID-19 Guidelines permits in person city meetings. The Scio Planning Commission may attend in person or via ZOOM. The public may attend in person so long as you call in advance to secure a seat due to the limited amount of seating available.

The public can join the Planning Commission meeting by choosing one of the following options:

<https://us02web.zoom.us>

Meeting ID: 856 6471 6665 Passcode: N8QZmE

or phone: 1-253-215-8782

Meeting ID: 856 6471 6665 Passcode: 433239

The public may submit public comments on agenda items by email to cmartin.cityofscio@smt-net.com prior to 4:00 p.m. on Wednesday, April 28, 2021.

AGENDA

April 28, 2021 (7:00 PM)

Chairman - Beau Buganski

Commissioner Richard Androes

Commissioner Katrina Clouse

Commissioner Ellie Ferguson

Commissioner Ron Loewen

Commissioner Nicole Zedwick

Vacant

CALL TO ORDER **** ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES: February 24, 2021 Minutes

CORRESPONDENCE: Notice of Pending Land Use Action – Linn Co. Planning & Building

BUSINESS:

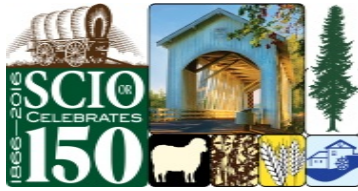
1. *Public Hearing: PL2021-02* – Randy Nelson/Iceland Construction – Subdivision Re-plat 10S01W18AC, Tax Lot 0900
Presented by: Dave Kinney, Planning Consultant
2. *PL2021-03* – SMTA – Property Line Adjustment 10S01W18AD, Tax Lots 5100, 5200 and 5300
Presented by: Dave Kinney, Planning Consultant
3. Planning Commission Vacancy

ADJOURNMENT:

NEXT SCHEDULED PLANNING COMMISSION MEETING(S)

- Wednesday, May 26, 2021, 7:00 p.m. Scio City Hall

Minutes



SCIO PLANNING COMMISSION ELECTRONIC MEETING MINUTES
WEDNESDAY, February 24, 2021

7:00 PM

COMMISSION MEMBERS PRESENT: Chairman Beau Buganski, Commissioners Richard Androes, Katrina Clouse, Ellie Ferguson, Ron Loewen and Nicole Zedwick, were all present via video.

STAFF PRESENT: Planning Consultant Dave Kinney, Assistant City Attorney Jeffrey Clayson and Administrative Assistant Cathy Martin were present via video.

CALL TO ORDER: Planning Chairman Beau Buganski called the Scio Planning Commission to order at 7:01 p.m.

ROLL CALL: Roll call was taken with all commissioners present. There is one vacancy.

AUDIENCE MEMBERS IN ATTENDANCE: none

APPROVAL OF MINUTES: The minutes of the October 28, 2020 meeting were reviewed.

Commissioner Zedwick moved, Commissioner Androes seconded, to approve the October 28, 2020 minutes as presented. A voice and hand vote was taken. Motion passed 6/0.

CORRESPONDENCE: None

BUSINESS:

**1. PL2021-01– City of Scio – Property Line Adjustment
10S01W18AA, Tax Lots 1601, 3401 and 3500
Presented by Dave Kinney, Planning Consultant –**

Planning Consultant, Dave Kinney, stated that this is not a public hearing. It is a property line adjustment, which has gone through staff review it also must be approved by the planning commission. Mr. Kinney asked the commission to refer to the map on page 5 of the meeting packet. The map shows that the city has an alley underneath the Scio Stop n Save Market that was never vacated. In addition, the city has a portion of an alley that is north of the market and the city staff and officials have had some discussion with the market. They would like to acquire the two areas identified as areas A and B on the map, which are east and west of the alley. The city would retain the remaining portion of the tax lot that has the bridge and park space. In order to do this, the city has to grant both parties a property line adjustment and the city will need to go through the alley vacation proceeding and adopt an ordinance to vacate the alley. The first step is the property line adjustment. If it is approved, then the city will proceed with the vacation of the alley. Udell Engineering has been hired to do a map and legal description of the property. A

final property line adjustment map will be filed with the county surveyor's office. This will clean up a bit of a property mess. City Attorney, Jeffrey Clayson, stated that Mr. Kinney covered everything and had nothing further to add. Kinney stated that he reviewed the application to make sure that it complied with the city requirements. He stated that it makes sense to combine the parcels and places it all on the tax roles which is good for the city.

Commissioner Clouse asked if they paid for it. Ms. Martin state that there is an agreement between the city and the store owners to pay a certain amount.

Kinney state that the commission has three options: 1) approve as recommended, 2) approve with modifications or 3) deny the application if the commission finds that it does not meet the criteria. Staff recommendation is to approve it as shown on the maps.

Commission Chairman Buganski stated that the city currently owns parcels A, B, and C on the map. The city is proposing to vacate C and then complete a lot line adjustment to add areas A, B and C to lot 3500. The city would retain the remaining portion of Lot 3401.

Martin stated that the area that is behind the new fence north of the store is the portion marked A, B and C (alley) on the map. The area behind the fence would become the store property.

Commissioner Loewen asked for clarification on area C "alley", as why it is being vacated and not sold.

Martin stated that the city in order for the alley to become real property, it has to be vacated, and when vacated, it goes back 50/50 to the original way it was platted. So the portion that is currently under the store would become part of that parcel, the portion between A & B would be split between these lots. The property line adjustment places it all into one parcel.

Commissioner Loewen moved, Commissioner Androes seconded, to approve the Property Line Adjustment. Motion passed 6/0.

Mr. Kinney advised the Planning Commission that there is a potential of having a land development application filed by Iceland Construction before the end of the month. The date the application is filed with the city will determine the next Planning Commission meeting, as a public hearing would be scheduled.

- 2. Planning Commission Vacancy** – Commissioner Zedwick asked if the vacant position was for someone within or outside of the city limits. Administrative Assistant Martin stated that the person needed to reside within the city limits due to the current commission members. Chairman Buganski stated that if you know of someone, to let staff know.

Commissioner Clouse asked if the planning commission has anything to do with the changing the downtown look or parks? Kinney asked if she was talking about façade improvements or streetscape? Clouse indicated that she was asking about both. Kinney stated that typically if a city receives money for a project like that, they will often refer it to their planning commission to give recommendations, but the ultimate decision is still with the city council. Clouse and Zedwick asked a couple of clarifying questions regarding potential improvements in the commercial area and who could work on a campaign of that nature. Kinney stated that they should get council approval before working on such a project. They would also need support from the property owners.

Next meeting is scheduled for March 31, 2021.

Meeting Adjourned at 7:16 p.m.

Cathy Martin, Administrative Assistant

Correspondence



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816 Fax 541-926-2060
www.co.linn.or.us

NOTICE OF PENDING LAND USE ACTION

The following request has been submitted for review by this Department. Any comments you wish to provide must be received by **5:00 p.m. April 29, 2021**. All comments will be appreciated; however, Oregon law requires that written comments specify which application criteria apply to submitted testimony.

APPLICANT NAME: JW Land Company, LLC

LANDOWNERS: Same

FILE NUMBER/TYPE OF REQUEST: PD21-0085; application for a property line adjustment.

LOCATION OF PROPERTY: The properties are located at 38640 Robinson Drive, Scio. The properties are located on the south side of Robinson Drive, approximately 0.52 miles west of the intersection of Robinson Drive and NW Cherry St., and abutting the city of Scio. (T10S, R01W, Section 18B, Tax Lots 800 and 900)

PLAN DESIGNATION/ZONE DESIGNATION: Agricultural Resource / Exclusive Farm Use (EFU)

URBAN GROWTH AREA/PLANNING AREA: N/A

SUMMARY OF REQUEST: An application to adjust property lines between two properties. The property line adjustment would result in tax lot 800, a 149.31-acre property, being increased to 155.95 acres, and tax lot 900, a 22.61-acre property, being decreased to 15.5 acres. The purpose of this notice is to solicit comments and input from surrounding property owners and affected agencies regarding the applicable decision criteria (attached) so that the Department may make a final land use decision.

COMMENTS: _____

BY _____ **AGENCY (IF ANY)** _____ **DATE** _____

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STAFF CONTACT PERSON: Jennifer Cepello; (541)967-3816, ext.2368 or jcepello@co.linn.or.us

LINN COUNTY		STATE OF OREGON		OTHER	
<input checked="" type="checkbox"/> EHP	<input type="checkbox"/> Sheriff	<input type="checkbox"/> DEQ	<input type="checkbox"/> ODOT/OSHD	<input checked="" type="checkbox"/> ODFW	<input type="checkbox"/> School _____
<input type="checkbox"/> Parks	<input checked="" type="checkbox"/> Bldg. Off./Flood	<input type="checkbox"/> DOGAMI	<input type="checkbox"/> ODSF		<input checked="" type="checkbox"/> Landowners
<input checked="" type="checkbox"/> Assessor	<input checked="" type="checkbox"/> Roads	<input checked="" type="checkbox"/> DSL	<input checked="" type="checkbox"/> DLCD		<input checked="" type="checkbox"/> City of Scio
<input checked="" type="checkbox"/> GIS	<input checked="" type="checkbox"/> Surveyor	<input type="checkbox"/> Water	<input type="checkbox"/> Parks		<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> RFPD Scio Rural Fire		<input checked="" type="checkbox"/> Floodplain	<input type="checkbox"/> State Fire Marshal		

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

1. Oregon law [ORS 215.416(5)] requires that local governments make copies of applicable decision criteria available to any participant in a land use hearing. This application will be reviewed, and a decision made, using the decision criteria listed below.
2. A copy of the application, all documents and evidence submitted by or on behalf of the applicant and the applicable criteria are available for inspection at no cost and will be provided at reasonable cost. For applications scheduled for public hearing, a staff report will be available for inspection at the Department at least seven days prior to the hearing. A copy of the staff report will be provided at reasonable cost.

Sections 925.320(B) and 925.350(B) of the Linn County Land Development Code contain the decision criteria specified for use with this application.

Section 925.320(B) - Decision criteria: generally

- (1) The property line adjustment, if approved, shall not create any additional units of land.
- (2) Except as otherwise authorized in paragraph (3), a property which meets or exceeds the minimum property size required by the zoning district shall not be reduced below the minimum property size.
- (3) A property which meets or exceeds the minimum property size in the UGA-UGM zoning district may be reduced below the minimum property size through a variance approved under this Development Code.
- (4) Subject to subsections (5) and (6), an authorized unit of land in non-resource zoning districts which does not meet the size standard of the zoning district may be further reduced in size by a property line adjustment.
- (5) The property line adjustment shall not:
 - (a) reduce the property below the area and configuration needed to maintain water supply and an approved septic system.
 - (b) eliminate vehicular access for any of the properties unless an alternative access has been provided and approved.
 - (c) create building encroachments into specified setback areas. Where there is an existing encroachment, the adjustment shall not result in any greater setback encroachment unless a variance has been granted.
 - (d) cause an undeveloped property to become ineligible for an approved septic system.
 - (e) encroach the location of an existing or approved septic system unless:
 - (i) A repair area for an existing, off-site septic system can be identified by Environmental Health Program (EHP) and secured by the applicant through an easement;
 - (ii) The location of the off-site repair area is surveyed; and
 - (iii) An easement, together with the surveyed description of the off-site repair area, is recorded in the County Clerk's office with a copy of the recorded documents provided to EHP.
- (6) No width, depth, or frontage standard of any property that meets the standards required by the zoning district may, by a property line adjustment, fail to continue to meet the applicable standard unless a variance has been granted.

Section 925.350(B) – Decision criteria: Type IIA property line adjustments

- (1) The decision criteria set forth in LCC 925.320.
- (2) No property may be reduced below one acre. This limitation is based on the smallest unit of land considered to be adequate for a rural home site.
- (3) A reduction of an authorized unit of land in an EFU, F/F or FCM zoning district may be approved for less than five acres but not less than one acre only if it meets one of the tests in this subsection. The objective of the tests is to assure compatibility with surrounding land uses and existing land development patterns. To further that objective, the following tests shall only include resource-zoned lands:
 - (a) The authorized unit of land as it currently exists, is bordered on at least 67 percent of its perimeter by other authorized units of land that are:
 - (i) resource-zoned, and

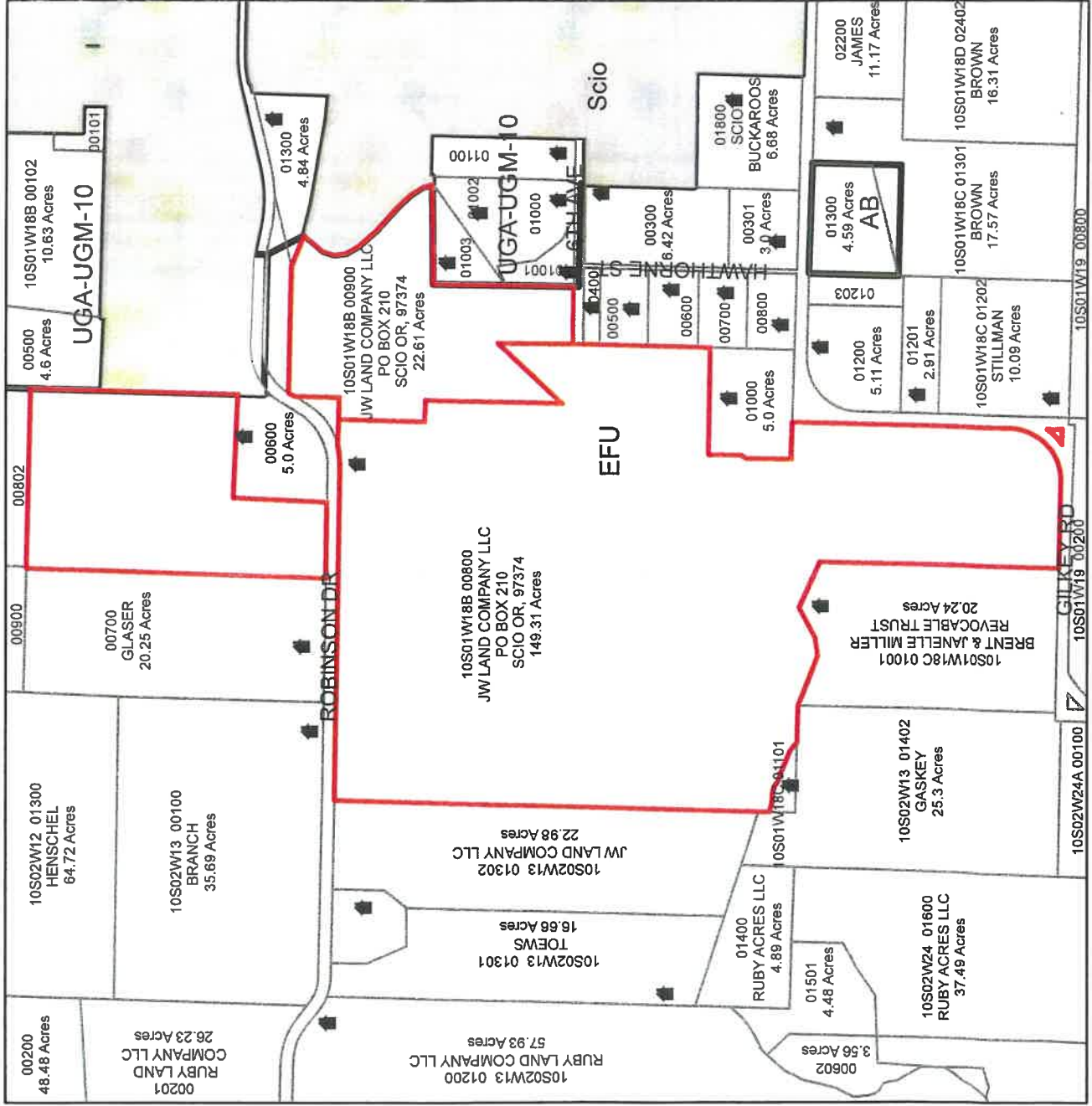
- (ii) smaller than 5 acres, and
 - (iii) at least two such properties had dwellings on them on January 1, 1993; or
 - (b) The authorized unit of land, as it currently exists, is bordered on at least 25 percent of its perimeter by other authorized units of land that are
 - (i) resource-zoned, and
 - (ii) smaller than 5 acres, and
 - (iii) at least four dwellings existed on January 1, 1993 within one-quarter mile of the center of the subject property; or
 - (c) The authorized unit of land as it currently exists, is determined to be within an area of significant impact regardless of impact directly on its perimeter. The impact area is measured outward one-quarter mile from the center of the subject property. The impacted area must contain
 - (i) all or part of at least 11 other authorized units of land that are resource-zoned, and
 - (ii) at least three dwellings, all of which must have existed on or before January 1, 1993; or
 - (d) The proposed adjustment to a property line is not adjacent to an area which may be subjected to off-site farm or forest-related impacts. Any decrease in the size of the property shall not reduce the buffer between farm or forest activities on nearby or adjacent tracts and the subject property.
 - (4) If the applicant fails all of the tests set forth in subparagraphs (a) to (d) of paragraph (3) of this subsection, the failure to have met a structural setback standards may nonetheless be resolved by reducing a property by one acre or less, with the actual reduction being no more than is necessary to alleviate the actual encroachment plus the required setback.
 - (5) If a single authorized unit of land being reduced in size consists of more than one contiguous tax-lot, the tax-lots shall be consolidated into a single tax-lot if the application is approved.
 - (6) For all properties being reduced in size below the typical field size set forth by *LESA* or below the 10% allowed ministerially for forested property, a terrain feature must exist or a management practice must be in place or proposed that makes the adjustment advantageous to the point that it mitigates the reduction.
 - (7) A property proposed to be reduced in size below the typical field size set forth by *LESA* or below the 10% allowed ministerially for forested property shall not result in a property size which would alter the stability of the land use pattern of the area.
 - (8) On land zoned EFU, F/F, or FCM, a property line adjustment may not be used to:
 - (a) Decrease the size of a property that, before the relocation or elimination of the common property line, is smaller than the minimum property size for the applicable zone and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling;
 - (b) Decrease the size of a property that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than the minimum parcel size, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or
 - (c) Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify another tract for a dwelling if the land use approval would be based on an acreage standard.
 - 3. All testimony and evidence must be directed toward the criteria described above or other criteria in the plan or land use regulations, which you believe, apply to the decision. Failure to raise an issue before the close of the record during the comment period/final evidentiary hearing, by letter or in person, or failure to provide statements or evidence sufficient to afford the decision maker(s) and the parties an adequate opportunity to respond to each issue raised precludes an appeal based on that issue.
 - 4. Please note the deadline stated in the accompanying notice for submitting your written comments for decisions to be made by the Planning and Building Department.
-

5. If a public hearing is scheduled before either the Planning Commission or the Board of County Commissioners, written and/or oral comments may be submitted either before and/or during that hearing. Please note the time and date of the hearing in the accompanying notice.
6. A map(s) depicting the parcel under review and surrounding lands is attached to the notice.
7. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by the applicant shall result in a corresponding extension of the 150-day time limitations of ORS 215.428.
8. Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence or testimony regarding the application. The decision maker shall grant the request by either (a) continuing the public hearing or (b) leaving the record open for additional written evidence or testimony. If the decision maker grants a continuance, the hearing shall be continued to a date, time and place certain at least seven days from the initial hearing.
 - (a) At the continued hearing, persons may present and rebut new evidence and testimony. If new written evidence is submitted, any person may request, prior to the close of the continued hearing that the record be left open for at least seven more days to submit additional written evidence or testimony to respond to the new written evidence.
 - (b) If the record is left open, it shall remain open for at least seven days. During the period the record was left open, any participant may file a written request with the local government for an opportunity to respond to new evidence submitted. If the record has been closed and such a request has been timely filed, the record shall be reopened. Unless waived by the applicant, the applicant shall have at least seven days after the record is closed to all other parties to submit final written arguments in support of the application. The applicant's final submittal shall be considered part of the record, but shall not include any new evidence. **If the record is reopened to admit new evidence or testimony, any person may raise new issues, which relate to the new evidence, testimony or decision criteria for the application.** Except when requested or agreed to by the applicant, the extension shall be subject to the 150-day limitations of ORS 215.428.
9. Appeals from Departmental decisions result in a hearing before the Planning Commission; appeals from Commission decisions result in a new hearing before the Board of County Commissioners.
10. Testimony or evidence previously submitted to the Commission must be **resubmitted** by the parties to the Board for the new hearing.
11. If this case is scheduled for a public hearing, the hearing will begin with a declaration of any ex parte contacts (contacts which occurred outside of the public hearing) or any conflict of interest by the decision makers. This will be followed by the staff report from the planning department. Then the applicant (or appellant if case is an appeal) will testify, followed by testimony by other people in support of the application. After the people who are in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision makers are free to ask questions of any person who has testified or of staff at any point during the hearing.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for resumption of the hearing and/or what limitations exist on further testimony or submittal of written materials. If a site visit is warranted, the chairperson will announce the time and date of such a visit. If the hearing and record are closed, the decision makers will begin deliberations and/or will announce the time, date and place when the decision will be made.

Linn County Planning & Building Department

Notice Map



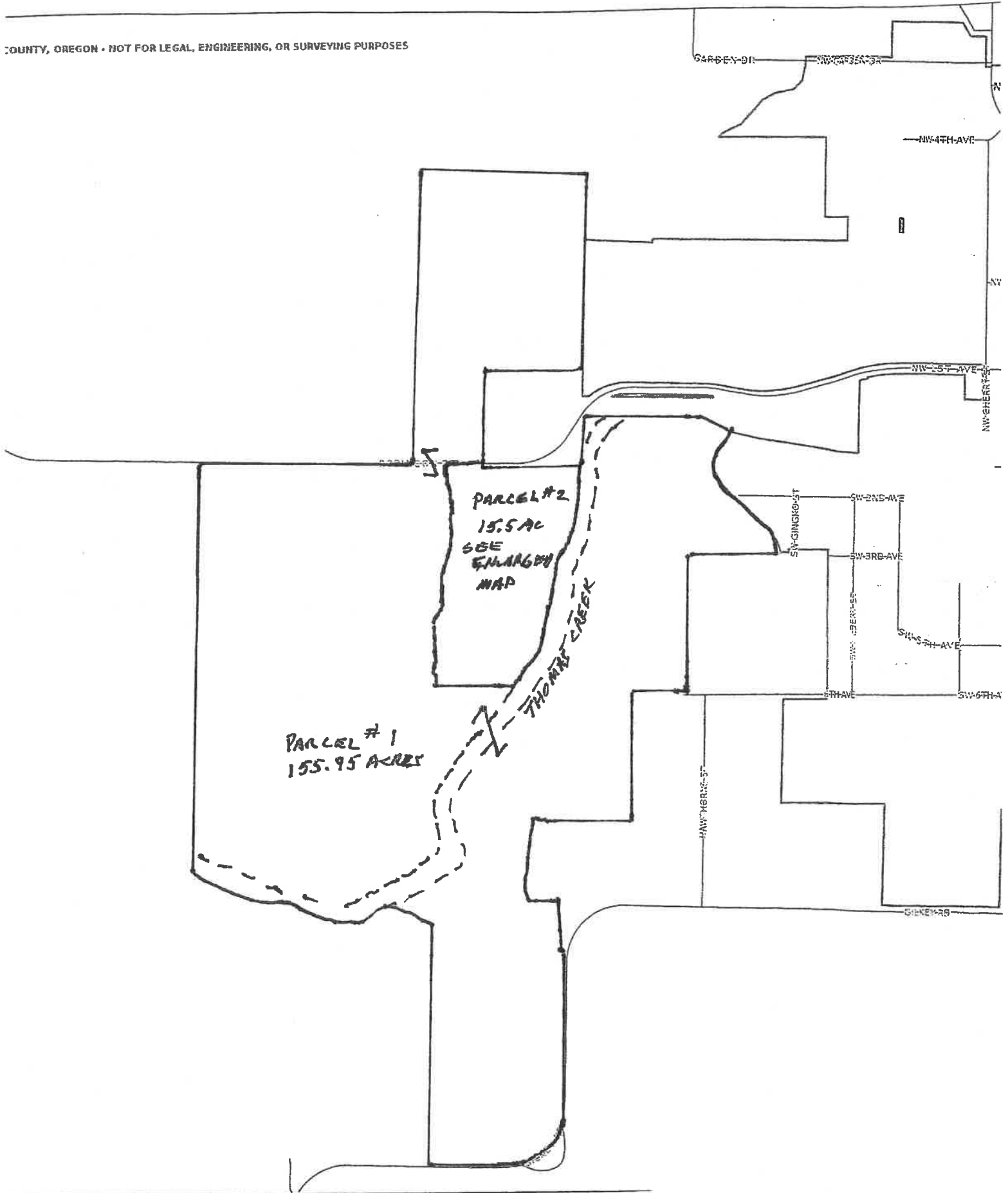
PD21-0085
 10S01W18B 00800
 10S01W18B 00900
 JW LAND COMPANY LLC
 PO BOX 210
 SCIO, OR 97374



04/07/2021

1 inch = 750 feet

OUNTY, OREGON • NOT FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES



Agenda Item 1



City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

SCIO PLANNING COMMISSION **STAFF REPORT**

STAFF REPORT DATE: April 19, 2021

HEARING DATE: April 28, 2021 Scio Planning Commission

FILE NUMBER: 2021-02 Four Firs Subdivision
Replat of Block 6, South Addition to Scio Subdivision

**APPLICANT/
PROPERTY OWNER:** Randy Nelson
Iceland Construction, Inc.
PO Box 240, Scio, Oregon
icelandconstruction@yahoo.com

APPLICANT'S PROPERTY:

<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>Account</u>	<u>Acres</u>	<u>Address</u>
T10S R1W 18AC	00900	30995	0.92	Block 6, Lots 1-8 South Addition to Scio

PROPOSAL: File PL 2021-02 Four Firs Subdivision
Replat Block 6, South Addition to Scio Subdivision
Reduce number of lots from eight to four

SUBMITTAL **File PL 2021-02 Application for Subdivision Repat**
Exhibit A:

- A-1 Subdivision Application (on file at City Hall)
- A-2 Application narrative for "Preliminary Subdivision Plat Application" for Randy Nelson, Iceland Construction, Inc. prepared by Udel Engineering & Land Surveying, LLC dated March 31, 2021 (17 pages, including Sheets C100-C107)

- C100 Cover Sheet – Aerial Map
- C101 Existing Conditions
- C102 Tentative Subdivision Plat
- C103 Proposed Development incl. building footprints

- C104 Proposed Utility Plan
- C105 Proposed Grading & Drainage
- C106 Street Cross Sections
- C107 Proposed Grading Details (On-site Swale)

A-3 National Flood Hazard Layer Firmette - City of Scio

OTHER EXHIBITS

- Exhibit B City Engineer's Site Review, by City Engineer Ryan Quigley, PE, Dyer Partnership, dated April 19, 2021.
- Exhibit C Agency Comments
 - C-1 Kristi Wheeler, Pacific Power, dated April 7, 2021.
- Exhibit D Public Testimony
 - D-1 Tracy Stoutenburg, Email to City dated April 13, 2021

DECISION CRITERIA

The following criteria apply to this application for a Comprehensive Plan Amendment and Zone Change.

A. Scio Zoning Ordinance 561 – Article 10, Amendments to the Zoning Ordinance

Article 3 – USE Zones

- Sections 3.110 to 3.160 Multi-Family Residential Zone (R-2)
 - 3.110 Uses Permitted Outright
 - 3.130 Lot Size
 - 3.140 Setback Requirements
 - 3.160 Lot Coverage

B. Scio Land Division Ordinance 562

Article 4 – Subdivision Plat Approval Procedure

Article 5 – Information on Tentative Plat for Proposed Subdivision

Article 7 – Improvement Procedures and Requirements

C. Scio Fill and Excavation Ordinance 537

The Planning Commission will make its decision based on the criteria listed above. The criteria listed for the Scio Comprehensive Plan, the Scio Zoning Code and city ordinances can be viewed at the City of Scio website: <http://ci.scio.or.us>

I. Applicant's Proposal

The City has received an application from Randy Nelson, Iceland Construction, Inc., requesting the City of Scio approve a 4-LOT replat of Block 6, South Addition to Scio Subdivision. The property is a one-block site (0.90 acres) as shown on Map 1 and in Table 1. If approved, the applicant proposes to replat the block into four 10,000+ square foot lots and build a duplex on each lot.

Table 1
Iceland Construction, Inc.
Comprehensive Plan Map and Zone Change Proposal

#	Assessor's Map and Tax Lot	Acres	Existing Use	Existing Comp Plan Map Designation	Existing Zoning District	Proposed Replat Number & Size of Lots
1	10S 1W 18AC TL 00900	0.90	Vacant	Residential	Multi-family Residential (R-2)	Four 10,000 square foot lots

Map 1
Location – Block 6, South Addition to Scio



II. BACKGROUND INFORMATION

A. Prior Land Use Decisions:

The City staff and Planning Consultant met with the applicant and applicant's engineering consultant in September 2019 to discuss the applicant's conceptual ideas for development of this 0.90-acre site. During the meeting, the City staff and consultants reviewed the City's land use application process, public facility deficiencies at the site and development requirements that will apply.

In the applicant's narrative for a Comprehensive Plan Map Amendment and Zone Change in 2020, land use planning consultant David Dodson, Willamette Valley Planning, LLC, explained the proposal

to amend the Scio Comprehensive Plan Map map and Scio Zoning Map:

"The owner is interested in creating 4 lots of roughly 10,000 square feet and constructing duplexes on each lot. The R-1 zoning allows for single-family dwellings; however, duplexes are considered multi-family. In order to construct duplexes on the newly created lots, the zoning needs to change from R-1 to R-2 and the City's Comprehensive Plan Map needs to be amended from Residential to Multi-Family Residential."

The City approved the Comprehensive Plan Map Amendment and Zone Change to designate and zone the property for Multi-family residential use in September 2020 (Land Use File 2020-04).

B. Subdivision Application, Land Use Procedure and Review Requirements:

A subdivision application for a 4-lot subdivision was filed with the City of Scio on April 1, 2021. The application was certified as complete on April 7, 2021. Therefore, the final local decision must be made by August 5, 2021 to comply with the "120 Day Rule".

The subdivision application requires a public hearing before the Scio Planning Commission. At the conclusion of the Planning Commission's hearing, they will make a decision to either approve or deny the proposal. The Planning Commission's decision is final, unless the decision is appealed to the City Council.

C. Public Hearings

Planning Commission Public Hearing: A public hearing concerning File 2021-02 will be held before the Scio Planning Commission on Wednesday, April 28, 2021 beginning at 7:00 p.m. The Planning Commission will consider the applicant's presentation, agency comments and public testimony. After the public hearing is closed, the Planning Commission will deliberate and make a decision.

D. Notices of Public Hearing:

Notice of the public hearings must be provided to affected governmental agencies, adjacent property owners and the community. Notices were provided as follows:

1. Mailing to Adjacent Property Owners: Written notice was mailed to owners of property within 500' of the subject property at least 20 days prior to the hearing before the Scio Planning Commission. Notice of the initial evidentiary hearing was mailed to property owners on April 7, 2021, 20 days prior to the hearing.
2. Agency Notification: Agency notices were emailed to affected agencies with a request that agency comments be returned to the City by April 15, 2021.
3. Posting: Notices of the public hearing were posted at the U.S. Post Office in Scio, at City Hall and on the City of Scio website on April 7, 2021. Copies of the staff report and exhibits were posted on the City of Scio website on April 20, 2021.

F. Existing Conditions:

The applicant provided the following description of the site and surrounding neighborhood:

"The applicant requests approval of a preliminary subdivision plat for a four-lot residential subdivision. The subject property consists of one city block and is bound by SW 3rd Avenue, SW 4th Avenue, SW Cherry Street, and SW Beech Street. The property does not have an assigned address but is identified as Block 6, Lots 1-8 South Addition to Scio and Linn County Tax Assessor's Map No. 10S-01W-18AC Tax Lot 900.

The proposal includes a preliminary plan to replat the existing 0.92±-acre site from eight, 5,000± square foot lots to four, 10,000± square foot lots with associated floodplain development, utility, and street improvements."

Map 2
**Proposed Iceland Construction Development Site
Surrounding Development and Zoning**



Surrounding Land Uses: The site is located in a single-family residential neighborhood. Map 2 shows building footprints of structures on the surrounding properties.

North: 38905 SW 3rd Ave, 38659 SW Cherry St. & 38912 SW Beech St. Single-family homes on block north of SW 3rd Avenue and west of SW Beech Street. There is a vacant 10,000 sf lot on the corner of SW Beech & SW 3rd Street.

West: 38628 and 38646 SW Cherry St. single-family homes and a vacant 1.71-acre parcel between the two homes that is zoned for R-1 residential development.

East: 38930 SW 3rd Ave. and 38929 SW 4th Ave. Single-family homes.

South: 38609 SW 3rd Ave. and 38906 SW Cherry St. Single-family homes.

G. Utilities:

City Engineer Ryan Quigley, Dyer Partnership, provided a written report to the City on April 19, 2021 (Exhibit "B") summarizing existing and proposed public facilities.

The applicant submitted an application and a tentative subdivision plan for four 10,000 square foot lots on the 0.90-acre site (Exhibit A). Sheet C103 through Sheet C107 show existing and proposed public and private utilities, storm drainage facilities and streets.

Water: City water lines abut the site in SW 3rd Ave, SW Beech and SW 4th Ave. The applicant proposes to install a new 6" water main on SW Cherry Street to loop the system and provide required fireflows to the site. [See Sheet C104].

Sewer: City sewer abuts the site on SW Beech Street. The applicant proposes the following sewer improvements [See Sheet C104]:

- Two sewer laterals from an existing 10" Sanitary Sewer in SW Beech Street.
- 8" Sanitary Sewer in SW Cherry Street (Extend 170' north from SW 4th), including two sewer laterals.

Storm Sewer: There is a 12" storm sewer at the corner of SW 4th & SW Cherry Street. The applicant proposes the following storm drainage improvements [See Sheets C105, C106 & C107]:

- Stormwater inlets on SW 3rd, SW 4th and SW Beech Street discharging into the rear yard swales.
- Drainage swales in the rear yards of the duplexes. Water to be collected in swales with discharge into a catch basin (CB), flowing west into a Storm MH in SW Cherry Street.
- SW Cherry: A new 12" storm sewer extension from SW 4th to SW 3rd.

The applicant will be required to submit a final storm drainage report and calculations and a final storm drainage system design as a condition of approval for the subdivision. The final design of the storm system will depend on the street improvements required for the development.

Balanced Cut & Fill: Scio Ordinance 537 requires a balanced cut and fill for any development within the City. Any excavation or fill within the subdivision must comply in order to avoid an increase in the flood water depths.

H. Streets:

There are platted streets on all sides of the block. Pavement width of existing streets varies on each block, as described below:

SW 3rd 16'+ wide paved turnpike style street with grassy shoulders

SW Beech 17'-20' wide paved turnpike street with gravel & grassy shoulders.

SW 4th 18-22' wide paved turnpike street with gravel & grassy shoulders. Speed hump

SW Cherry AC pavement, curb, gutter and sidewalk on west side in Thomas Creek Estates. Unimproved street from the end of the Thomas Creek Estates subdivision, along the applicant's frontage and north to SW 3rd Avenue.

Sheet C105 shows proposed street improvements to be constructed with the subdivision. The City Engineer's report recommends the scope of the street improvements to be required by the City.

I. Agency Comments and Public Testimony:

1. Agency Comments. Agency comments were solicited from the Scio Rural Fire District and private utilities and requested back by April 15, 2021. As of April 19, 2021 the City had received the following agency comments, attached as Exhibit "C":

C-1 Pacific Power: Kristi Wheeler, Estimator for Pacificorps, responded on April 7, 2021:

"Pacific Power has facilities in the area to feed new residential housing. It does not appear any facilities will need to be re-located, but until a request is called in & site visit by a Pacific Power Estimator is done (with proposed building plans), this cannot be verified at this time."

2. Written Public Testimony. As of April 19, 2021, the City had received the following written testimony, attached in Exhibit "D".

D-1 Tracy Stoutenburg, 38820 SW 2nd Avenue, Scio: Ms. Stoutenburg sent the City an email dated April 13, 2021 in support of the proposal.

"I am emailing you my comments or thoughts on the proposed duplexes. I am for the duplexes, we need some sort of affordable housing for our young adults, young families. We have virtually no rentals for our community. I think the proposed spot/land is ideal for duplexes."

All other written testimony received prior to and during the public hearing is hereby made a part of the record. A summary of all oral and written testimony will be included in the meeting minutes.

III. FINDINGS

The applicant submitted an application for the Four Firs Subdivision, including an applicant's statement, proposed findings, tentative plat and engineering plans, attached as Exhibit "A".

The applicant's statement and proposed findings dated March 31, 2021 address the applicable criteria in the city's zoning and land division ordinances. They are incorporated herein, as if set forth in full.

The City's Planning Consultant and the Scio City Engineer have reviewed the proposal, including the applicant's submittals, to determine whether or not the proposal complies with the applicable standards and criteria listed on page 2 of this report. A subdivision replat is reviewed based on applicable criteria found in the Scio Zoning Ordinance 561 and the Scio Land Division Ordinance 562.

A. Scio Zoning Ordinance: Article 3 "Zoning"

The following findings of fact address the applicable sections and criteria in the Scio Zoning Ordinance.

Sections 3.110 to 3.160 – Multi-Family Residential Zone (R-2)

- 3.110 Permitted Uses in the R-2 Zone. Single-family dwellings and duplexes are outright permitted uses in the R-2 zone, subject to lot size, setback and coverage standards.
- 3.130 Lot Size. In an R-2 zone, the minimum lot size is 10,000 square feet for any lot in the Special Flood Hazard zone, with a minimum lot width of 80' at the front property line.,
- 3.140 Setbacks. The site plans show approximate location duplexes to be constructed on the site. Minimum setbacks are:
- | | |
|------------------------|--|
| Front | 20' |
| Front (to garage) | 25' |
| Side Yard (Corner Lot) | 15' |
| Side | 5' minimum, both side yards together 13' |
| Rear | 20' |
- 3.160 Lot Coverage. Buildings shall not occupy more than 35% of the lot area. For a 10,000-sf lot, the buildings may not cover more than 3,500 square feet.

Findings of Fact:

- 3.110 (1) Sheet C102 shows four 10,000+ square foot building lots. Each lot will have a minimum 100' frontage along the front lot line of each duplex, which exceeds the minimum 80' lot frontage requirement.
- 3.110 (2) The applicant's site plan shows four duplexes, one on each lot. Sheet C103 shows a conceptual site plan; each building lot will have a 3,333 SF building area, a 20' front setback to the face of building and a 25' setback to the front of the garage. Lot coverage will be <35%.

Conclusion: Sheet C102 shows the new lots comply with lot size requirements. Sheet C103 shows duplexes can comply with the setback and lot coverage requirements. *The proposal complies with the basic zoning requirements found in Article 3, Sections 3.110 to 3.160 "Multi-family Residential Zone".*

Sections 13.010 through 13.100 Public Facilities

Article 13, Sections 13.010 through 13.100 and the City of Scio Public Works Design Standards include public facility standards and design standards for the construction of public facilities adjacent to and within a development. Compliance with the City's public facility standards are reviewed below in Section III-C "Scio Land Division Ordinance 562".

B. Scio Land Division Ordinance 562

The application was reviewed to determine whether the proposal complies with the applicable standards and criteria in the Scio Land Division Ordinance.

Chapter 4.010 to 4.080 – Subdivision Plat Approval Procedure

A subdivision includes the division of a parcel into four or more lots. In this case, the application is a replat of Block 6, South Addition to Scio. The original subdivision was platted in 1889. Block 6 has eight 50' x 100' lots that were not developed. The City of Scio does not have an adopted procedure in the land division ordinance for a replat, therefore, the City will process the application as a subdivision, since the project will result in the replatting of the site into four 10,000 square foot lots.

Sections 4.020 to 4.080 provide the application, standards and approval criteria for approval for a subdivision plat.

4.020 Submission Requirements.

4.030 Filing Fees

An application for a subdivision must include a tentative plat map and supplementary information required in Article 5, Sections 5.010 to 5.050 of the land division ordinance. A subdivision is handled in a two-step process: (1) Preliminary Plat review and (2) Final Plat review and recording in compliance with ORS Chapter 92. A public hearing is required before the Planning Commission.

Findings:

- 4.030 (1) The City reviewed the application submittal and determined the application is complete. The applicant submitted the application, filing fee, public utility plans and supplemental information needed by the City in order to render a decision. *The proposal complies with Sections 4.020 and 4.030.*

4.040 Preliminary Review and Agency Referrals.

The City shall provide copies of the proposal to the City Planner, City Engineer and affected agencies for their review.

Findings:

- 4.040 (1) Written notice was provided to affected agencies by the City staff on April 7, 2021. The City's consultants and agencies were asked to return written comments to the City by April 15, 2021. *The proposal complies with Section 4.040.*

4.050 Approval Procedure and Criteria. Section 4.050 requires the Planning Commission to hold a public hearing and provide written notice to affected neighbors. Notice was provided as describe in Section II – Background Information of this report. Section 4.050 (3) lists the relevant approval criteria for a minor partition.

Section 4.050 (3) Approval Criteria – Tentative Plat

The Planning Commission may approve the tentative plat as submitted, approve it with conditions or modifications, or deny it. The decision shall be based on findings related to the following criteria:

- a. The subdivision is consistent with the provisions of this ordinance, the zoning ordinance, other applicable city ordinances, and the comprehensive plan.
- b. The subdivision is compatible with and will not adversely affect the livability or appropriate development of the surrounding area.

- c. Vehicular access intended to serve the property from the surrounding area is adequate and vehicular access within the subdivision is adequate to meet the needs of the proposed development.
- d. All necessary public utilities are adequate to meet the needs of the proposed development without hindering service delivery or capacity in other parts of the City.
- e. No landlocked parcels will be created. Full and orderly development of the surrounding area can be assured.
- f. The physical characteristics of the property, such as potential soil erosion or landslides, drainage, flooding, and other potential natural hazards, have been considered and will not be detrimental to the property or to the surrounding area.

The City staff reviewed the proposed subdivision to determine its compliance with the criteria listed in Section 4.050.(3).

Criteria 4.050 (3) – Approval Criteria.

Criteria 3a: Compliance with the Scio Zoning Ordinance, Applicable City Ordinances and the Scio Comprehensive Plan.

Findings: The property is located in the Multi-family Residential plan designation area and R-2 multi-family zone. The following provisions of the Scio Comprehensive Plan, Scio Zoning Ordinance and Scio Flood Hazard Management Ordinance apply to the project site.

SCIO COMPREHENSIVE PLAN

Land Use Goals:

Goal LU-2: *The City of Scio will provide an adequate supply of land inside the city limits that is zoned for residential, commercial, industrial and public uses to meet the projected needs of the City for the next 20 years.*

Residential Lands Policies:

Policy LU-4: Residential zones will allow for a mix of housing types and densities consistent with the existing character of the community, address the economic capabilities and lifestyles of the residents of Scio.

Policy LU-5: The residential density allowed in the single-family residential zone will be four (4) to six (6) units per acre and up to fourteen (14) units per acre in the multi-family residential zone. The minimum lot size per dwelling unit will be increased if a parcel is located in the Special Flood Hazard Area as defined on the Flood Insurance Rate Map (FIRM) and in the Flood Hazard Ordinance of the City of Scio.

Findings:

LU-1 The property is located in a Residential plan designation and is in the Multi-Family Residential (R-2) zone. The property owner can develop the site for single-family residential, duplexes or multi-family residential uses. A minimum 10,000 sf lot size is required for any lots in the Special Flood Hazard area. *The proposal complies with the applicable Scio Comprehensive Plan land use goals and policies.*

SCIO FLOOD HAZARD GOALS AND POLICIES AND THE SCIO FLOOD HAZARD ORDINANCE

FLOOD AND OTHER NATURAL HAZARDS

Goal NR-4: *To prevent losses as a direct result of natural hazards, by the identification of hazard areas and the control of development in hazard areas.*

Policy NR-10: The City of Scio will regulate development in areas subject to flooding in accordance with the adopted floodplain maps and the Scio Flood Hazards Ordinance.

Findings:

- NR-1 Goal N-4 requires the City to prevent losses as a result of natural hazards, including flood events within the 100-year flood plain for Thomas Creek.
- NR-2 Policy NR-10 permits development on properties located in the Flood Hazard zone, subject to a Flood Development Permit and compliance with National Flood Insurance Program (NFIP) regulations.
- NR-3 The City of Scio has adopted Ordinance 579, the *Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010)*. The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area.
- NR-4 Sheet C105 of the applicant's submittal shows the approximate boundary of the 100-year flood plain, based on FEMA Firm Panel No. 0253G, Map No. 41043C0253G. All four lots are located within the 100-year flood hazard area. At the time a building permit is issued, the City requires a property owner to obtain a Flood Development Permit from the City and comply with National Flood Insurance Program (NFIP) regulations. Scio Ordinance 537 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths.
- NR-5 There are no other identified natural hazards (steep slopes, landslides, etc.) on the applicant's property.

Conclusion:

The property is located within the 100-year flood plain. In order to mitigate impacts during a 100-year flood event, the City Planner recommends the following conditions of approval:

1. **Balanced Cut and Fill:** Final engineering plans and calculations shall be submitted to the City for review and approval by the City Engineer with calculations confirming the project is designed with a "balanced cut and fill" for the site.
2. **Flood Plain Development Permit:** Any applicant for a building permit shall obtain a flood development permit concurrently with the building permit. In lieu of a flood plain development permit, the applicant may provide evidence that FEMA has approved a Letter of Map Amendment (LOMA) removing the "building site" from the 100-year flood hazard area. Base floor elevations shall be 2' above the base flood elevation.

The City concludes the proposal can comply with the City's flood hazard goals and policies and Flood Hazards Ordinance 579, subject to compliance with the recommended conditions of approval.

SCIO ZONING ORDINANCE

The property is located in the R-2 zone. Article 3, Sections 3.010 to 3.050, describe allowed uses in the R-2 zone. Findings in Section III-A of this report conclude the proposal complies with the basic zoning requirements of the R-2 zone.

A subdivision must comply with the public facility standards and requirements in Article 7, Land Division Ordinance 562 and Article 13, Zoning Ordinance 561. These standards are reviewed under Criteria 3c and 3d below.

Conclusion:

The proposal complies with the Scio Comprehensive Plan goals and policies, the Scio Zoning Ordinance and the Scio Flood Hazard Ordinance. At time of construction of new residential buildings on the site, the new homes can comply with the City's flood plain management regulations and R-2 zoning requirements, if the applicant complies with the recommended conditions of approval. *The proposal can comply with Criteria 3a.*

Criteria 3b: Neighborhood Compatibility (NC). The proposed development is compatible with and will not adversely affect livability or development of the surrounding area.

Findings:

- NC-1 The proposed subdivision will include 4 lots and up to 8 dwelling units on the 0.90-acre site.
- NC-2 Map 2 on page 5 of this report shows adjacent R-1 and R-2 zoning and the location of structures. Adjacent uses are primarily single-family home sites on 10,000 square foot and larger lots. The neighborhood is planned and zoned for residential uses.
- NC-5 The City's R-2 zoning permits single-family homes and duplexes as outright permitted uses on the property. Sheet C103 shows a conceptual building layout for four duplexes, with common walls. The front of each duplex unit will face a different street. In Section III-A above, the City finds this layout complies with the basic zoning requirements of the R-2 zone. If the subdivision is approved, the applicant or future owners will have the option of building either a single-family home or a duplex on each lot.

Conclusion: The City concludes the proposed subdivision is compatible with the residential character of the neighborhood. The design of the duplexes, with a common wall and individual driveways facing separate streets, will create the appearance of single-family dwellings facing each street. *The proposal complies with Criteria 3b.*

Criteria 3c: Vehicular Access to and within the subdivision is adequate to serve the project and meet the needs of the community (V).

Findings:

- V-1 SW 3rd, SW 4th, SW Cherry and SW Beech Streets are local streets.

- V-2 The Scio Comprehensive Plan includes Transportation Goal T-2 and Objectives 2a, 2b, 2c and 2d encouraging the City to provide pedestrian and bicycle facilities, including Safe Routes to School, concurrently with new development. Map T-9 in Chapter 12 “Transportation” of the Scio Comprehensive Plan shows SW Beech Street is designated as a priority improvement for a pedestrian walkway/safe route to school.
- V-3 The Scio local streets plan in Chapter 13 of the Scio Zoning Ordinance 561 shows proposed street improvements, including both turnpike style streets (no curbs) and full urban improvements (curb, gutter, bike lane, pedestrian sidewalks and storm drainage facilities). Chapter 13 requires full urban improvements in a subdivision, unless the improvements are deferred or waived as part of a subdivision review.
- V-4 The applicant has provided an engineering plan for the subdivision, which shows street improvements on the four streets abutting the site, including pedestrian and bicycle facilities.
- V-5 The conceptual site plan for the duplex development shows two driveways to each street (One driveway per duplex unit).
- V-6 Udell Engineering estimates each duplex unit will generate 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hours. Construction of four duplex units will add approximately 76 new vehicle trips per day. They state traffic will be dispersed to the four local streets.
- V-7 Local streets are designed to carry 500-1000 vehicle trips per day. The 45 dwelling units in the 10-block neighborhood area surrounding the applicant’s site generates approximately 500 vehicle trips per day.
- V-8 The applicant’s findings (pages 5-7 of the applicant’s written statement) address Criteria 3c, including existing street condition, the City of Scio street design standards, traffic volumes to be generated, pedestrian needs and proposed street and pedestrian pathway improvements.

The applicant’s findings reference the Scio Local Street Plan and Table 13.020.C in Ordinance 561. The street standards for each street are:

- SW Cherry Street Local Street – Curbed, with sidewalks.
- SW 3rd Avenue Local Street – Turnpike style (28’-32’ pavement width)
- SW 4th Avenue Local Street – Turnpike style (28’-32’ pavement width)
- SW Beech Street Local Street – Turnpike style (28-32’ pavement width). A Safe Routes to School pedestrian pathway is shown on the local street plan.

The applicant’s findings are incorporated as if set forth herein.

- V-9 On Sheet C103, the applicant proposes the following street improvements:
- SW Cherry Street: ¾ street with curbs, gutters, pavement and sidewalks (east side).
 - SW 3rd Avenue: No street improvements. Utilize existing turnpike street. No sidewalk or pedestrian path improvements.
 - SW 4th Avenue: No street improvements. Utilize existing turnpike street. Add a 5’-wide AC pedestrian path.
 - SW Beech Street: AC pavement widening to 20’ pavement width. Construct a

10'-wide AC pathway along the SW Beech Street lot frontage.

- V-9 Ordinance 561, Section 13.020 requires existing substandard streets abutting a proposed development be improved to city standards, unless the improvements are deferred or waived by the Planning Commission, as part of the subdivision development review.

A deferral or waiver may be granted if:

- (1) The standard improvement conflicts with an adopted capital improvement plan; or
- (2) The standard improvement will create a safety hazard; or
- (3) It is unlikely due to the condition of the adjacent property that the subject street improvement will be extended in the foreseeable future, and the street improvement under consideration does not, by itself, significantly improve transportation operation or safety; or
- (4) The street improvement under consideration is part of an approved partition and the proposed partition does not create any new street.

- V-10 The City Engineer's report (Exhibit B) reviews the proposed street improvements to determine if they comply with the City's improvement standards and if any waiver/deferral of street improvements should be considered. The City Engineer concludes the subdivision and lots can be adequately served by the existing streets, subject to completion of street and sidewalk improvements.

- V-11 The City Engineer reviewed the proposed street improvements for compliance with City improvement standards, as discussed on pages 16-18 of this report, under the Scio Zoning Ordinance, Section 13.020 - "Transportation Standards."

Conclusion: The City concludes the existing local streets will provide adequate vehicular access to all lots in the subdivision and will not impede through traffic adjacent to the project site. Upon completion of the street improvements, as recommended by the City Engineer, the project will provide safe vehicular travel on the roadway, driveway access to each lot and a safe pedestrian access along the street frontage.

Criteria 3d: Adequate public utilities are provided to meet the needs of the development without hindering service delivery or capacity in other parts of the City.

Findings:

- P-1 Fire Protection/Emergency Medical Services. The site is within the Scio Rural Fire District boundaries. The Fire Chief will review the final engineering plans to approve hydrant locations prior to the issuance of any building permits.
- P-2 Law Enforcement Services. Linn County provides law enforcement services for the City of Scio and the surrounding rural areas. Law enforcement services will not be affected.
- P-3 Water. The City of Scio operates a municipal water system. It provides potable drinking water to approximately 420 customers located inside the city limits and a handful of customers outside the City. The site is served by 6" distribution water mains and fire hydrants on three sides of the site: SW 3rd, SW 4th and SW Beech Streets. The City's water

master plan shows the site is adequately served, but it is not adequate for future development on SW Cherry Street (west portion of the site). Fire flows can be improved by looping the water main on SW Cherry Street (3rd to 4th).

Sheet C104 shows water mains will be looped. A 6" water main will be extended on SW Cherry Street (SW 3rd to SW 4th) and water meters will be installed for all lots. If a subdivision is approved final engineering plans will be required to comply with the City public works standards.

- P-4 Storm Drainage. Sheets C105, C106 and C107 shows proposed on-site and off-site storm drainage facilities. Sheet C105 shows storm inlets on SW 3rd Avenue, SW Beech Street, rear yard drainage swales and connections to the existing storm sewer in SW Cherry Street.

If the subdivision is approved a storm drainage analysis and report will be required with the submittal of the final engineering plans, to demonstrate compliance with the City's public works design standards.

- P-5 Sanitary Sewer. The City of Scio operates a wastewater collection and treatment system that serves the community. In 2020, City Engineer Ryan Quigley, Dyer Partnership, LLC, prepared a new wastewater facility master plan for the City of Scio. The master plan shows the site can be served by the Scio sewer system, but requires sewer main extensions to the development site.

Sheet C104 shows a sewer main extension and two sewer laterals on SW Cherry Street and two sewer lateral connections to an existing sewer main on SW Beech Street. If the subdivision is approved, the final engineering plans shall be submitted that comply with the City's public works design standards.

- P-6 SW Beech Street Sewer Line - Inflow & Infiltration Issue (I & I). City Engineer Ryan Quigley notes the SW Beech Street sewer main north to the City's pump station has I & I issues which may limit capacity and the # of new connections permitted. If the final plans show the SW Beech Street sewer main may be used, the City Engineer recommends I & I repairs occur concurrently with the project. If the SW Beech Street sewer main is overcapacity, then the applicant's engineer shall submit an alternate plan to connect to the SW Cherry Street sewer main.

Conclusion: The City concludes there are adequate law enforcement, fire protection/emergency medical services, public water and sanitary sewer facilities to serve the property. *The proposal complies with Criteria 3d.*

Criteria 3e: No landlocked parcels will be created and full development of the surrounding area can be assured.

Findings:

- LL-1 All parcels in the block have frontage on a public street; no landlocked parcels are created.
- LL-2 Undeveloped property north of 3rd Avenue and west of Cherry Street have access to a public street right-of-way. The developer is extending water, sewer and storm drainage utilities

that will allow for extension to the adjacent undeveloped properties; adjacent properties will extend needed utilities (water, sewer, storm drainage and private utilities) and will be required to complete street frontage improvements when they are developed.

Conclusion: *The proposal complies with Criteria 3e.*

Criteria 3f: **Physical characteristics of the site (soils, flood hazard, drainage) have been considered and will not be detrimental to the property or surrounding area.**

Findings:

Phys-1 Sheet C105 shows 80%+ of the site is located in the 100-year Flood Hazard Zone.

Phys-2 The builder will be required to obtain either a Flood Development Permit at the time of construction of a new building on any of the lots, or provide evidence to the City that FEMA has approved a Letter of Map Amendment removing all or a portion of each building lot from the 100-year flood hazard area. The base floor elevation of the buildings shall be a minimum of 2' above the base flood elevation.

Phys-3 There are no soil stability issues or other hazards on the site. Storm drainage facilities have been planned to provide storm water detention, water quality improvements and stormwater release from the streets.

Conclusion: *The proposal can comply with Criteria 3e, subject to compliance with the recommended conditions of approval.*

C. Scio Zoning Ordinance 561 – Article 13 “Public Facilities”

The application was reviewed to determine whether the proposal complies with the applicable public facility standards and criteria in the Article 13, Sections 13.010 to 13.100. The purpose of Article 13 is to ensure the needed public facilities serving a development are designed and constructed in compliance with city, county and/or state requirements. Public facilities include streets, storm drainage, sidewalks, bicycle facilities, water, sewer and private utilities.

No development may occur unless the public facilities related to the development comply with the City's standards and are either in place or guaranteed. Required public improvements must be roughly proportional to the impact of the development.

The following sections of the Article 13 apply to this proposal:

13.010 Public Facility Standards

13.010.A-D Public Facilities shall be designed and constructed in compliance with the City of Scio public facility requirements of Article 13 and the City of Scio Public Works Design Standards.

13.010.E All required public improvements must be completed prior to the recording of a subdivision plat or a performance guarantee will be provided to the City.

13.020 Transportation Standards

13.020.A Street Improvements Required. Existing substandard streets within or abutting a development shall be improved in compliance with the City's street design standards. The applicant has submitted plans showing proposed street frontage improvements abutting all lots in the subdivision.

13.020.A5 Traffic Impact Study: Eight duplex dwelling units will generate approximately 76 vehicle trips per day to/from the dwellings (9.44 trips/day * 8 units = 75.52 trips). Since the project will generate less than 300 ADT trips per day, neither a Traffic Impact Study or a Traffic Assessment Letter is required.

13.020.C Street Classification: All four streets are local streets.
Improvements shall comply with Table 13.020.C "Street Design Standards" and the typical cross sections, subject to modification and approval of the City Engineer.

13.020.D Future Street Plan and Street Section Type: The future street plan identifies the type of street improvement required for existing streets. SW Cherry Street is required to have urban street improvements (curb, gutter & sidewalk). SW Beech Street has a safe routes-to-school pedestrian pathway shown on the future street plan. SW 3rd Avenue and SW 4th Avenue are shown as turnpike style streets with AC pavement and gravel shoulders. The applicant proposes half-street frontage improvements.

Sheet C103 includes the applicant's proposed street improvements. In Exhibit B, the City Engineer reviewed Sheet C103 and recommends the following improvements in order to comply with the City's public street standards:

- SW Cherry St. Concur with applicant's proposal for a ¾ street improvement. Design for 32' AC width, curb, gutter and east-side sidewalk to match the existing street.
- SW Beech St. Does not concur with the applicant's proposal. Recommends a 24' AC pavement width and a 6' wide PCC property line sidewalk between 3rd & 4th Ave.
- SW 3rd Ave. Concur with the applicant's proposal to allow the existing 20' AC pavement width. Recommends the City grant a deferral to the 28'-wide street improvement standard and require the property owner to executed and record a non-remonstrance agreement requiring the property owners to pay their fair share of the cost of future improvements.
- SW 4th Ave. Concur with granting a waiver to city standards and concurs with the applicant's proposal for a 20' AC pavement width.

13.020.D3 Street Connectivity: Streets shall be designed to connect to existing streets. The proposed plan shows SW Cherry Street will extend from SW 4th north to SW 3rd to connect all streets in the block. The City Engineer concurs the plan meets the connectivity requirement.

13.020.G ROW:

- SW Beech, SW 3rd and SW 4th have a 60' ROW width; no ROW needed.

- SW Cherry Street has a 50' ROW; no ROW is needed if the applicant provides a 10' PUE along the lot frontage.

The City concludes the proposal complies with the City's ROW width requirements and allows for construction of street improvements, landscape strip and sidewalks along the property frontage.

13.020.I Sidewalks. Except where a deferral is granted by the Planning Commission, sidewalk shall be installed concurrently with the development.

- SW Cherry St. The applicant proposes a curb, gutter and 5' PCC sidewalk.
- SW Beech St. The applicant proposes a 10'-wide AC pedestrian path.
- SW 3rd Ave. The applicant requests a sidewalk deferral.
- SW 4th Ave. The applicant proposes a 5'-wide AC pedestrian path.

Sidewalks/Pedestrian Path: The City Engineer recommends modifications to the plans to provide for sidewalk improvements to better serve students walking to/from schools.

- SW Cherry St. City concurs with applicant's proposal.
- SW Beech St. City Engineer recommends a 6' wide PCC sidewalk.
- SW 3rd Ave. City concurs with the applicant's proposal and deferral of the street/sidewalk improvement.
- SW 4th Ave. The City Engineer recommends a 5' wide PCC sidewalk.

13.020.L Street Signs. Traffic control and street name signs shall be installed at the intersections, for any street intersections where signs do not exist.

13.020.M Street Lights. The plans do not show street lights. There is no street light at the corner of SW 3rd & SW Beech Street. A new street light shall be installed on the existing power pole at the NW corner of SW 3rd and SW Beech Street. The final engineering plan shall show proposed street lights and type for approval by the City.

13.020.N Mailboxes. New mailboxes shall be installed at the sole cost of the developer. Coordinate location of mail receptacles outside vehicle and pedestrian travel areas.

13.030 Public Use Areas and Parks.

Section 13.030 does not apply, since the project site is less than 2.0-acres in size.

13.040 Sanitary Sewers and Water System Improvements.

The applicant proposes to install sanitary sewer connections and water main improvements for the project site, as shown on Sheet C104. See finding above under Section B, Land Division Criteria 3d and the City Engineer's Report Exhibit B.

Sanitary Sewer:

- Final plans shall be submitted to the City Engineer and Oregon DEQ for approval.
- If the final sewer plans include sewer lateral connections from the SW Beech Street sewer main, the proposed improvements shall include improvements to reduce I & I into the SW Beech Street sewer main & Thomas Creek Pump Station.

Water System:

- Final plans shall be submitted to the City Engineer, Scio Fire District and Oregon Health Authority for approval.
- Existing fire hydrant location, condition and flows shall be reviewed and verified with the Scio Fire District during design of the project.

13.050 Storm Drainage Facilities

The applicant submitted storm drainage plan sheets C105, C106 and C107 showing on-site and off-site storm drainage improvements. See findings above under Section B, Land Division Criteria 3d and the City Engineer's Report, Exhibit "B".

The City Planner recommends the following conditions of approval:

- Final plans and stormwater detention calculations shall be submitted to the City Engineer for approval.
- Final plans shall show a detailed fencing plan showing how functionality of the storm drainage facility will be maintained.
- The applicant will show the storm drainage easement to the City on the final plat.
- The applicant will prepare and record in the Linn County Deed Records a storm drainage easement/maintenance agreement:
 - granting the City the right to enter the property to perform maintenance and,
 - stipulating the storm drainage swale may not be filled in, and
 - stipulating fencing and improvements may not impede or inhibit the storm drainage function, and
 - stipulating the property owner(s) will be responsible for the on-going maintenance of the drainage swale on private property.

13.060 Private Utilities

There are existing overhead power and telecommunications facilities and underground natural gas lines adjacent to the site. All private utilities to the new homes shall be placed underground at the developer's expense. The developer is responsible for coordination with the utility companies.

13.070 Easements

- a. PUE: Sheet C102 shows a 10' PUE along the street frontage for all lots.
- b. Storm Drainage Easement: Sheet C105 shows storm water from SW 3rd Ave., SW 4th Ave. and SW Beech Street will flow onto the property and then discharge to the storm sewer on SW Cherry Street. The City Planner recommends a storm drainage easement be granted to authorize the City to enter the site to maintain the inlets/outlets.

The following easements will be shown on the final plat.

- Public Utility Easement 10' wide PUE adjacent to the ROW on all lots.
- Storm Drainage Easement (to be defined on final engineering plans).

13.080	Construction Plan Approval
13.090	Facility Installation
13.100	Performance Guarantee

Sections 13.080, 13.090 and 13.100 require the developer to:

- Submit final engineering plans for the city engineer's approval;
- Installation of public and private improvements per the approved plans;
- Execute a development agreement and/or provide a performance guarantee to ensure facilities are installed;
- Provide as-built plans and a warranty bond at completion.

Conclusion:

The City Planner and City Engineer have reviewed the tentative subdivision plan and the conceptual engineering plans for compliance with Sections 13.010 to 13.100 and the City's public works design standards.

The staff recommends conditions of approval which must be completed by the applicant in order to comply with all of the public facility requirements of the City. The City staff concludes proposed subdivision can comply with the public improvement requirements, upon completion of the recommended conditions of approval.

IV. CITY ENGINEER AND CITY PLANNER RECOMMENDATION

Based on the findings and conclusions contained in the staff report, the City Engineer and City Planner conclude the applicant's proposal can comply with the subdivision and public improvement requirements for a replat of Block 6, South Addition to Scio. Based on the findings included in this staff report, the Planning Consultant recommends the Planning Commission approve the Four Firs Subdivision application subject to the following conditions of approval.

FILE 2021-02 --- FOUR FIRS SUBDIVISION

- A. Approved Map & Time Limit of Subdivision Approval.** The Four Firs Subdivision is approved as shown on the attached tentative subdivision plans, Sheets C100 to C107, dated & stamped approved by the City of Scio. Approval is granted subject to the submittal of the final engineering plans to the City Engineer and a final plat to the Linn County Surveyor for review within one year from the date of the City's Notice of Decision. The subdivision approval will expire May 31, 2022 if the final engineering plans and final plat are not submitted to City and Linn County Surveyor for preliminary review.
- B. Final Plat.** The final subdivision plat must be recorded with Linn County no later than December 31, 2022. The plat must be prepared by a registered professional surveyor and comply with state law and the Linn County surveyor requirements for subdivisions. The final plat must comply with the requirements listed in ORS 92 and the Scio Subdivision Ordinance 562, Article 6, "Final Plat Requirements."
- C. Easements.**

1. Provide a 10' wide PUE on the street frontage boundary for all lots.
2. Provide a storm drainage easement to the City (area to be defined on the final plat).

D. Public Improvements, Development Agreement and Bonding Requirements:

1. Public Improvement Construction and Acceptance. The developer will install required public improvements prior to recording of the final plat, or shall provide the City with a performance bond/guaranty in an amount sufficient to guarantee completion of construction of the required public improvements, including city costs for engineering review and inspection of all improvements. Upon completion, the City Engineer will recommend city acceptance and require submittal of a one-year warranty/maintenance bond.
2. Development Agreement. The City and Developer will enter into a Development Agreement, on a form provided by the City, stipulating the terms of completion of the subdivision improvements.
3. Bonding Requirements. If the improvements are not completed prior to the filing of a final plat, the developer shall provide a performance bond and warranty bond in an amount established by the City Engineer, as required by the City's Public Works Design Standards.
4. As-Built (Record) Drawings. At the completion of the project and upon acceptance by the City of Scio, provide the City with as-built record drawings of the public improvements in electronic and paper formats.

D. Public Works Requirements: The applicant shall submit final engineering plans for the subdivision for review and approval by the City Engineer prior to the City approval of the final plat. Improvements will be designed and installed in accordance with the City of Scio Public Works Design Standards and Construction Specifications.

Permits:

1. City of Scio Construction Permit. The property owner, or authorized contractor shall obtain a Construction Permit from the City for any work performed in the city-owned public right-of-way.
2. Oregon Health Authority Plan Approval. Provide a copy of OHA approval of water system plans for the water main extension on SW Cherry Street.
3. DEQ Sanitary Sewer Plan Approval. Provide a copy of DEQ approval of sewer system construction plans for the sewer main line extension on SW Cherry Street.
4. Erosion Control Permits. Provide a copy of the DEQ approved 1200-C Permit.

5. Storm Drainage and Other Regulatory Permits. Provide a copy of any other federal or state required regulatory permits to the City.

Streets Improvements:

Design and construct the following street improvements, subject to final engineering plans review and approval by the City Engineer:

6. SW Cherry St. (4th to 3rd): Construct a 24'-wide $\frac{3}{4}$ -street paved section with curb, gutters and 5' sidewalk on the east side and a 2'-wide gravel shoulders and roadside drainage on the west side. Construct a 5' pedestrian sidewalk and ADA ramps, as approved by the City Engineer.
7. SW 3rd Avenue (Beech to Cherry): Maintain the existing a 20' wide paved section, including gravel shoulders, roadside drainage and AC driveway approaches on the south side of the street.
8. SW 4th Avenue (Beech to Cherry): Maintain the existing 20' wide paved section, including gravel shoulders, roadside drainage and AC driveway approaches on the north side of the street. Construct a 5' wide PCC sidewalk, ADA ramps and PCC driveway aprons.
9. SW Beech Street (3rd to 4th): Widen to a 24' wide paved section with gravel shoulders and roadside drainage on the west side of the street. Construct a 6' wide PCC sidewalk, ADA ramps and PCC driveway aprons.
10. Street Name and Traffic Control Signs. Traffic control signs and street name signs shall be installed as shown on the final engineering plans, or as approved by the City Engineer.
 - a. Install street name signs, no parking signs, and traffic control signs (STOP) at intersections where they do not exist.
11. Street Lights. Street Lights shall be shown on the final engineering plans.
 - a. Install a new light on the existing power pole at the northwest corner of the intersection of SW Beech & SW 3rd Avenue, at the developer's sole cost and expense.
12. Mailboxes. Install mail receptacles outside of vehicle/pedestrian areas. Mailboxes shall comply with USPS requirements.

Water Improvements:

13. Water Mains: Design and construct a 6" water main extension on SW Cherry Street (4th – 3rd) to loop with the existing water main on SW 3rd Avenue, including meter services and

boxes per PWDS standards. Existing fire hydrant location, condition and flows shall be reviewed and verified with the Scio Fire District during design of the project.

Sewer Improvements:

14. Sewer Mains and Laterals: Design and construct the following sewer improvements:
 - a. SW Cherry St. Sewer Main Extension: An 8" sewer main extension and sewer laterals on SW Cherry Street (4th north to MH).
 - b. SW Beech St. Sewer Connections: Evaluate the condition of the SW Beech Street sewer main to determine if it may be used for the development. If the SW Beech Street sewer main can be used, submit final plans and recommendations for repairs/upgrades to reduce I & I flows and install sewer laterals on SW Beech St.

Storm Drainage Improvements:

15. The applicant will submit a final storm drainage calculations and engineering plans for the storm drainage system, that are compatible with the required street improvements for the project. Plans will include a detailed fencing plan showing how functionality of the storm drainage facility will be maintained.
16. The applicant will prepare and record in the Linn County Deed Records a storm drainage easement/maintenance agreement:
 - granting the City of Scio the right to enter the property to perform maintenance and,
 - stipulating the storm drainage swale may not be filled in, and
 - stipulating fencing and improvements may not impede the storm drainage function or inhibit the system function, and
 - stipulating the property owner(s) will be responsible for the on-going maintenance of the drainage swale on the property.

V. BURDEN OF PROOF

The burden of proof is on the applicant to present the applications to the Planning Commission and to present information which shows that the application meets the subdivision approval criteria. subdivision.

VI. PLANNING COMMISSION OPTIONS

- A. Approval and adoption of the proposed findings and the recommended conditions of approval for File 2021-02 Four Firs Subdivision.
- B. Approval and adoption of amended findings and conditions of approval to reflect the Planning Commission deliberations.
- C. Denial of the applications and to direct the City Planning Consultant to modify the findings to reflect the Planning Commission's deliberations that the proposal does not meet the applicable approval criteria.
- D. Continue the hearing, to a date and time certain, if additional information is needed to determine whether applicable standards and criteria are addressed.

VII. MOTIONS --File 2021-02 Four Firs Subdivision

- Approval: To approve the subdivision application of Iceland Construction, Inc. and to adopt the findings of fact, conclusions and recommended conditions of approval for File No. 2021-02.
- Approval (modified): To approve the subdivision application of Iceland Construction, Inc. and to direct the staff to modify the findings of fact and conclusions to reflect the Planning Commission's deliberations and adopt the conditions of approval for File No. 2021-02.
- Continue: To continue deliberations to a meeting of the Planning Commission on **(insert DATE and TIME)** in order to complete deliberations and make a decision on the application.
- Denial: To deny the application because the applicant has not demonstrated the proposal complies with all of the City of Scio Subdivision and Zoning Code criteria and to direct the staff to modify the findings and prepare a final order to reflect the Planning Commission's deliberations and conclusions.

EXHIBITS

File 2021-02

Applicant: Iceland Construction Inc.

Proposal: Four Firs Subdivision

Exhibit A Application and Tentative Plan

- A-1 Subdivision Application (on file at City Hall)
- A-2 Application narrative for “Preliminary Subdivision Plat Application” for Randy Nelson, Iceland Construction, Inc. prepared by Udell Engineering & Land Surveying, LLC dated March 31, 2021 (17 pages, including Sheets C100-C107)
 - C100 Cover Sheet – Aerial Map
 - C101 Existing Conditions
 - C102 Tentative Subdivision Plat
 - C103 Proposed Development incl. building footprints
 - C104 Proposed Utility Plan
 - C105 Proposed Grading & Drainage
 - C106 Street Cross Sections
 - C107 Proposed Grading Details (On-site Swale)
- A-3 National Flood Hazard Layer Firmette - City of Scio

Exhibit B City Engineer’s Report

- B-1 City Engineer’s Preliminary Site Review, by City Engineer Ryan Quigley, PE, Dyer Partnership, dated April 19, 2021

Exhibit C Agency Testimony

- C-1 Pacific Power email from Kristi Wheeler, estimator, dated April 7, 2021 (in file)

Exhibit D Public Testimony

- D-1 Tracy Stoutenburg, email in support dated April 13, 2021 – (in file).

PRELIMINARY SUBDIVISION PLAT APPLICATION

Submitted to:	City of Scio Planning Department P.O. Box 37 Scio, Oregon 97374 541-394-3342 cmartin.cityofscio@smt-net.com
Applicants/Property Owners:	Randy Nelson Iceland Construction, Inc. P.O. Box 240 Scio, OR 97374 icelandconstruction@yahoo.com
Applicant's Representative:	Udell Engineering and Land Surveying, LLC 63 E. Ash Street Lebanon, OR 97355 Contact: Laura LaRoque Email: laura@udelleng.com Phone: (541) 990-8661
Site Location:	Unassigned Address; Block 6, Lots 1-8 South Addition to Scio
Linn County Assessor's Map No.:	10S-01W-18AC Tax Lot 900
Site Size:	±0.92-acres
Existing Land Use:	Unimproved
Zone Designation:	Multi-Family Residential (R2)
Comprehensive Plan Designation:	Multi-Family
Surrounding Zoning:	North: R1 (across SW 4 th Ave.) South: R1 (across SW 5 th Ave.) East: R1 (across SW Beech St.) West: R1 (across SW Cherry St.)
Surrounding Uses:	North: Residential South: Residential East: Residential West: Residential



19-208 Nelson
10S-01W-18AC Tax Lot 900
Subdivision Application

March 31, 2021
Page 1 of 9

I. Executive Summary

The applicant requests approval of a preliminary subdivision plat for a four-lot residential subdivision. The subject property consists of one city block and is bound by SW 3rd Avenue, SW 4th Avenue, SW Cherry Street, and SW Beech Street. The property does not have an assigned address but is identified as Block 6, Lots 1-8 South Addition to Scio and Linn County Tax Assessor's Map No. 10S-01W-18AC Tax Lot 900.

The proposal includes a preliminary plan to replat the existing 0.92±-acre site from eight, 5,000± square foot lots to four, 10,000± square foot lots with associated floodplain development, utility, and street improvements.

The review criteria for preliminary plat review are found in the City of Scio's Land Division Ordinance No. 562 Section 4.050(3)(a-f) and are addressed in the narrative below. This written narrative and associated documentation included in the application materials, establishes that the application complies with all applicable approval criteria. This documentation provides the bases for the City to approve the application.

II. Analysis of Development Code Criteria

According to Section 4.050, review of a preliminary subdivision plat is a quasi-judicial review procedure with the Planning Commission as the decisionmaker.

According to Section 4.020 and 4.030, the application submittal requirements include an application filing fee, preliminary plat of the proposed subdivision, and other supplementary material as may be required in Sections 5.010 to 5.050.

III. Preliminary Plat Review Criteria

Section 4.050(3) includes the following review criteria that must be met for a preliminary plat to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

A. The subdivision is consistent with the provisions of this ordinance, the zoning ordinance, other applicable city ordinances, and the comprehensive plan.

- 1.1 The policies of the Scio Comprehensive Plan are implemented by regulations within Ordinance No. 561, 562, and 612. Findings regarding applicable regulations under these ordinances can be found under this criterion and Criterion C and F, below and are incorporated herein by reference.
- 1.2 The subject property zoned Multiple-Family Residential (R-2) and subject to the standards under Ord. No. 561, Article 3, Section 3.110.

As shown on the preliminary plan set, the anticipated development for the proposed lots are two-family duplex units, which is an outright permitted use under Section 3.110. Provisions under Sections 3.140 – 3.160, 3.070, and Ord. No. 612 pertaining to building setback, height, lot coverage, and flood hazards will be reviewed by staff in association with a site, building, access, or floodplain development permit, and are not applicable at this time.

- 1.3 Ord. No. 561, Article 5, Sections 5.110 – 5.670 will be reviewed by staff in association with a site, building, access, or floodplain development permit, and are not applicable at this time.

Any future development regulated by Ord. No. 561, Article 6, Sections 6.100 – 6.450 will be reviewed by staff in association with the respective site, building, access, or floodplain development permit. These provisions are not applicable at this time as no development is proposed with this application.

- 1.4 Ord. No. 561, Article 7, Section 7.010, is regarding nonconforming structures. An existing dilapidated shed is present on the site and is nonconforming to rear/side setback provisions. However, the proposed subdivision will not increase this nonconformity. In addition, the structure will be demolished in association with the future development of the site.
- 1.5 Ord. No. 561, Article 13 Sections 13.010 – 13.100 are regarding public facilities improvements. Findings regarding the availability and capacity of existing and proposed public facility improvements can be found under Criterion C and D, below and are incorporated herein by reference.
- 1.6 Ord. No. 562, Article 5, Sections 5.010 – 5.050 requires a scaled plan set that includes information about the application and site generally, existing conditions, and all proposed improvements. The provided plan set includes all required information for a preliminary plat review (see Attachment A).
- 1.7 Provisions under Ord. No. 562, Article 6, Sections 6.010 6.040 will be reviewed upon the submittal of a final plat. These standards will be reviewed by staff upon receipt of a final plat and are not applicable at this time.
- 1.8 Provisions under Ord. No. 562, Article 7, Sections 7.010 – 7.030 state that all required improvements must be either installed or financially assured proper to approval of a final plat and what happens should failure to complete improvements occur. These standards will be reviewed by staff upon receipt of a final plat and are not applicable at this time.
- 1.9 Provisions under Ord. No. 562, Article 8 pertain to land division request for three for fewer parcels and are not applicable to a subdivision application (i.e., land division for four or more lots).
- 1.10 Provisions under Ord. No. 562, Article 8.5 pertain to property line adjustments and are not applicable to this application.
- 1.11 Ord. No. 562, Article 9 includes design standards for streets, blocks, easements, lots, building lines, large lot subdivisions, and land for public uses and public open spaces.
- a. Findings regarding Section 9.020 pertaining to street improvements can be found under Criterion D, below and are incorporated herein by reference.

- b. Section 9.030 provides block standards. According to Section 9.030(2), a block shall not be more than 1,000 feet in length between the street corners and have sufficient width to provide for back-to-back building sites. As shown on the Preliminary Plat sheet, the existing block length is approximately 200 feet in length and width which provides for two (2) 100-foot by 100-foot, back-to-back lots. This standard is met.
- c. Section 9.040 provides standards for utility line easements, water courses, and pedestrian/bicycle ways. As shown on the Proposed Improvement sheet, there are no proposed public utility easements, water courses traversing the subject property, or needed mid-block pedestrian connections. All public utilities are either available or will be constructed within the public right-of-way. The site is a standard city block with pedestrian and/or bicycle ways to be improved along SW Cherry and SW Beech Street frontages.
- d. Section 9.050 provides standards for lot size and shape, access, through lots, flag lots, and lot side lines. Only lot configuration, access, and lot side lines are applicable to this application.
- e. As shown on the Preliminary Plat sheet, the proposed four lots are all approximate 100-feet-wide by 100-feet-deep, 10,000 square feet in size, with side lot lines at right angles to the abutting street frontages.

According to Section 3.130, the minimum lot area for a single- to two-family dwelling within the R2 zone and the Special Flood Hazard Area is 10,000 square feet. The minimum lot width and depth is 80 feet and 200 feet, respectively. Therefore, these standards are met.

As shown on the Proposed Improvement sheet, all proposed lots have frontage on two different abutting rights-of-way (i.e., corner lots). A minimum access with of 25-feet can be obtain from each of the respective street frontage. This standard will be verified during building permit process.

- f. Sections 9.060, 9.070, and 9.080 pertaining to special setback lines, large lot, and lands for public use and public open spaces are not applicable as none are proposed with this application.

1.12 Provisions under Ord. No. 562, Article 10 pertain to improvement procedures and the City of Scio Public Improvement Standards for water supply system, sewer supply system, surface drainage and storm drainage facilities, streets, sidewalks, traffic control and street name signage, and electrical and other wire services.

- a. Findings regarding the availability and service capacity of existing public right-of-way and proposed public right-of-way improvements can be found under Criterion D, below and are incorporated herein by reference.

- b. Findings regarding the availability and service capacity of existing utilities and proposed public utility improvements can be found under Criterion D, below and are incorporated herein by reference.
 - c. A condition of approval can be made to ensure that all required improvements are designed and constructed in accordance with the City of Scio Public Improvement Standards and installed in accordance with Section 10.010 - Improvement Procedures.
- 1.13 Provisions under Ord. No. 562, Article 11 pertain to variance requests. A variance is not requested with this application. Therefore, Sections 11.010 – 11.030 are not applicable to this application.
- 1.14 Section 13.030 requires public land dedication for public parks, open space, or greenways on sites that are 2-acres or larger in size. The site is less than 2-acres, therefore this standard is not applicable.
- B. The subdivision is compatible with and will not adversely affect the livability or appropriate development of surrounding area.**
- 2.1 Findings pertaining applicable zoning, land division, and flood hazard standards under Ordinance No. 561, 562, and 612 can be found under Criterion A above, and Criteria C-F, below, and are incorporated herein by reference.
- C. Vehicular access intended to serve the property from the surrounding area is adequate and vehicular access within the subdivision is adequate to meet the needs of the proposed development.**
- 3.1 The project will replat eight existing lots into four lots. Each of the lots has the potential to be developed with a single-family or two-family dwelling (i.e., duplex).
- 3.2 Based upon ITE trip generation rates, each unit within a duplex generates 9.44 vehicle trips per day and 0.99 trips during the peak PM traffic hour. The develop has the potential to result in construction four duplexes. Construction of four duplexes would add about 76 new vehicle trips per day to the public street system. About eight of these trips would occur during the PM traffic hour. New dwellings on this block will disperse traffic to SW 3rd, SW 4th, SW Beech, and SW Cherry Street.
- 3.3 The development will not generate enough trips to require submittal of a trip generation analysis or Traffic Impact Analysis (TIA) as the threshold for requiring submittal of a trip generation analysis is 50 peak hours trips, and a TIA is 300 average daily trips.
- 3.4 Local streets are designed to carry 500-1000 vehicle trips per day. There is 45+/- dwelling units in the 10-block area bordered by Thomas Creek, SW Alder, SW 6th & SW Cherry Street. Based on the number of surrounding dwelling units, the total traffic volume of 450-500 vehicles per day from these homes will not reach the design capacity of the local streets.

3.5 The subject property is bound by SW 3rd Avenue, SW 4th Avenue and SW Cherry Street, and SW Beech Street, which are classified as local streets. The roadways are not fully improved to city standards and lack curb, gutter, sidewalk. Additionally, the pavement width of existing streets varies, as described below:

- SW 3rd Avenue has an approximately 20-foot-wide paved turnpike style street with grassy shoulders.
- SW Beech Street has an approximately 20-foot-wide paved turnpike style street with gravel and grassy shoulders.
- SW 4th Avenue has variable pavement width and is a turnpike street with gravel and grassy shoulders and a speed hump.
- SW Cherry Street has asphalt concrete pavement, curb, gutter, and sidewalk on the westside of Thomas Creek Estates. The remaining portion of the street along the frontage of the site is unimproved from the end of Thomas Creek Estates north to SW 3rd Avenue.

3.6 The Scio Comprehensive Plan includes Transportation Goal T-2 and Objectives 2a, 2b, 2c, and 2d encouraging the City to provide pedestrian and bicycle facilities, including Safe Routes to School, concurrently with new development. Map T-9 shows SW Beech Street is designated as a priority improvement for a pedestrian walkway/safe route to school. Street improvement plans will be required to incorporate a safe route to school pedestrian walkway or sidewalk on SW Beech Street.

3.7 The City of Scio Future Street Plan in Map 13.1 of Ord. No. 561, depicts SW Beech Street, SW 4th Avenue, and SW 3rd Avenue as a turnpike style local street and SW Cherry Street as a curbed style local street. SW Beech Street is also identified as a safe route to school pedestrian walkway or sidewalk.

3.8 Table 13.020(C) of the Ord. No. 561 include the following street design standards for local (turnpike) street under the jurisdiction of the City of Scio:

Type of Street	Ave. Daily Trips	Right-of-Way Width	Pavement Width	Travel Lanes	Bike Lane	On-Street Parking	Planting Strip	Sidewalks
Local Street - Curbed	<1500	60'	28' – 36'	(2) 7' – 11' per lane	None	(2) 7' lanes	7' – 11' both sides	5' both sides
Local Street - Turnpike	<1000	50' – 60'	28' – 32'	(2) 7' – 9' per lane	None	(2) 7' lanes per side	4' – 11' grassy swale both sides	5' both sides

3.9 Ord. No. 561, Section 13.020 requires existing substandard streets abutting a proposed development be improved, unless the improvements are deferred or waived as part of a preliminary plat review. The conditions for a deferred or waived improvement are as follows: 1) the standard improvement conflicts with an adopted capital improvement plan; 2) the standard improvement would create a safety hazard; 3) it is unlikely due to the development condition of adjacent property that the subject street improvement will be extended in the foreseeable future, and the street improvement under consideration does not, by itself, significantly improve transportation operation or safety; 4) The street improvement under consideration is part of an approved partition and the proposed partition does not create any new street.

3.10 Included with the application are the following street improvements.

- a. Construction of one-half street improvements on the east side SW Cherry Street between SW 3rd Avenue and SW 4th Avenue. The improvements include a 24-foot-wide roadway section with curb, gutter, and 5-foot-wide sidewalk.
- b. Construction of a 10-foot-wide pathway along the west side SW Beech Street between SW 4th Avenue and SW 3rd Avenue to provide pedestrian access to the pedestrian bridge over Thomas Creek at the north end of SW Beech Street.
- c. Construction of a 5-foot-wide pathway along the north side SW 4th Street between SW Cherry Street and SW Beech to provide pedestrian connectivity to proposed pedestrian improvements along SW Cherry Street and SW Beech Street.

D. All necessary public utilities are adequate to meet the needs of the proposed development without hindering service delivery or capacity in other parts of the City.

4.1 All new development is required to connect to City water and sanitary sewer systems. Sanitary sewer and water system improvements are required to be installed in accordance with adopted facility master plans and applicable City of Scio Public Works Design Standards. Detailed design and construction plan for required improvements are reviewed at the time of development through a site improvement permit.

4.2 Water. The site is served by existing water mains. Existing water mains are shown on the preliminary plan as being located along the frontage of the subject property within SW 4th Avenue, SW Beech Street, and SW 3rd Avenue. Included with the application is the extension of a 6-inch water main in SW Cherry Street from SW 4th Avenue to SW 3rd Avenue. Separate water meters will be provided for each residential unit.

4.3 Three existing fire hydrants are located at the intersections of SW Cherry Street and SW 4th Avenue, SW 4th Avenue and SW Beech Street, and SW Cherry Street and SW 3rd Avenue. The existing fire hydrants are located at the northwest corner of the SW 4th Avenue and SW Beech Street intersection and southeast corner of the SW 3rd Avenue and SW Cherry Street intersection.

4.4 Sanitary Sewer. The site is served by existing sewer mains that are 8-inch diameter PVC

and direct flow to the Thomas Creek Pump Station. Included with the application is a proposed extension to the existing sewer mainline in SW Cherry Street. The SW Cherry Street sewer mainline is proposed to be extended from the intersection of SW 4th Avenue and SW Cherry Street, approximately 170 feet to the north to serve future duplex development to the west side of the subject property. Each of the lots will then be served with a 4-inch sewer lateral.

4.5 Stormwater: Included with the application is the installation of one catch basin near the intersection of SW Cherry Street and SW 4th Avenue, in conjunction with the street improvements in that area.

4.6 All improvements will be design and constructed to meet or exceed the City of Scio's Public Works Design Standards.

E. No landlocked parcels will be created. Full and orderly development of the surrounding area can be assured.

5.1 The subject property consists of one city block and is bound by SW 3rd Avenue, SW 4th Avenue and SW Cherry Street, and SW Beech Street. The proposed subdivision will consolidate the existing eight lots into four. The resultant lots will all be corner lots with frontage, and direct access to abutting local streets.

5.2 The proposed subdivision will not impact existing access for adjacent properties, nor will it impact the ability of adjoining land to develop.

1. Property to the north (across 4th Avenue): The property located at 38905 SW 3rd Avenue has frontage along SW Cherry Street and SW 3rd Avenue, and gains access from SW 3rd Avenue. The property located at 38912 SW 2nd Avenue has frontage along SW Beech Street and SW 3rd Avenue, and gains access from both frontages. Both properties are occupied by a single-family residence.
2. Property to the east (across Beech Street): The property located at 38930 SW 3rd Avenue has frontage along SW Beech Street and SW 3rd Avenue, and gains access from both frontages. The property located at SW 38929 4th Avenue has frontage along SW Beech Street and SW 4th Avenue, and gains access off SW 4th Avenue. Both properties are occupied by a single-family residence.
3. Property to the west (across Cherry Street): The properties located at 38646 and 38628 SW Cherry Street have frontage along and gain access from SW Cherry Street. These properties are occupied by a single-family residence and accessory structures.
4. Property to the south (across 3rd Avenue): The property located at SW 38906 4th Avenue has frontage along SW Cherry Street and SW 4th Avenue, and gains access from the SW 4th Avenue frontage. The property located at SW 38610 SW Beech Street has frontage along SW Beech Street and SW 4th Avenue, and gains access off SW 4th Avenue. Both properties are occupied by a single-family residence.

F. The physical characteristics of the property, such as potential soil erosion or landslides, drainage, flooding, and other potential natural hazards, have been considered and will not be detrimental to the property or to the surrounding area.

- 6.1 Statewide Planning Goal 7 requires cities to inventory and adopt measures to protect the community from floods, landslides, earthquakes, and other natural disasters.
- 6.2 The site is located within the Thomas Creek Special Flood Hazard Area, commonly known as the 100-year flood plain as shown on the FEMA Flood Insurance Rate Map Panel no. 41043C0253G, dated September 29, 2010 (see Attachment B).
- 6.3 The City of Scio has adopted Ordinance 579, the Scio Flood Plain Management Ordinance and Linn County Flood Management Study (September 2010). The flood management ordinance includes protection measures to govern development within the 100-year flood hazard area. It requires a property owner to obtain a Flood Development Permit from the City and comply with National Flood Insurance Program (NFIP) regulations. Scio Ordinance 536 has a balanced cut & fill requirement to prevent development from causing an increase in flood depths.
- 6.4 At the time of development, a Flood Plain Development Permit application for any portion of the site that is in the 100-year flood hazard area will be submitted, or evidence will be provided that FEMA has approved a Letter of Map Amendment (LOMA) removing all, or a portion of the development site from the 100-year flood hazard area. As part of the City's review of the subdivision and flood plain development permit, the City will verify whether the proposed cut/fill proposal, street elevations and building elevations will not increase flood elevations and will not impede the flow of floodwaters within or around the site.
- 6.5 Chapter 5 of the Scio Comprehensive Plan inventories other potential natural hazards. The city has not identified any other natural hazards that impact the site.

IV. OVERALL CONCLUSION

Based on the above analysis, the proposed preliminary subdivision plat meets all the applicable review criteria as outlined above.

V. ATTACHMENTS

A. Plan Set

- 1. Cover Page, Sheet C100
- 2. Existing Conditions, Sheet C101
- 3. Preliminary Plat, Sheet C102
- 4. Proposed Improvements, Sheet C103
- 5. Preliminary Utility Plan, Sheet C104
- 6. Preliminary Grading and Drainage, Sheet C105
- 7. Street Sections, Sheet C106

B. FIRMette of FEMA FIRM Panel no. 41043C0253G, dated September 29, 2010



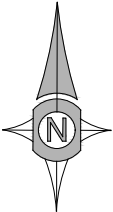
VICINITY MAP



NOT TO SCALE

SHEET INDEX

- C100 - COVER SHEET
- C101 - EXISTING CONDITIONS
- C102 - PRELIMINARY PLAN
- C103 - PROPOSED IMPROVEMENTS
- C104 - PRELIMINARY UTILITY PLAN
- C105 - PRELIMINARY GRADING & DRAINAGE
- C106 - STREET SECTIONS
- C107 - GRADING DETAILS



NOT TO SCALE

DEVELOPER

ICELAND CONSTRUCTION
C/O RANDY NELSON
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541-981-8399

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AND
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COVER SHEET
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

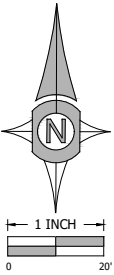
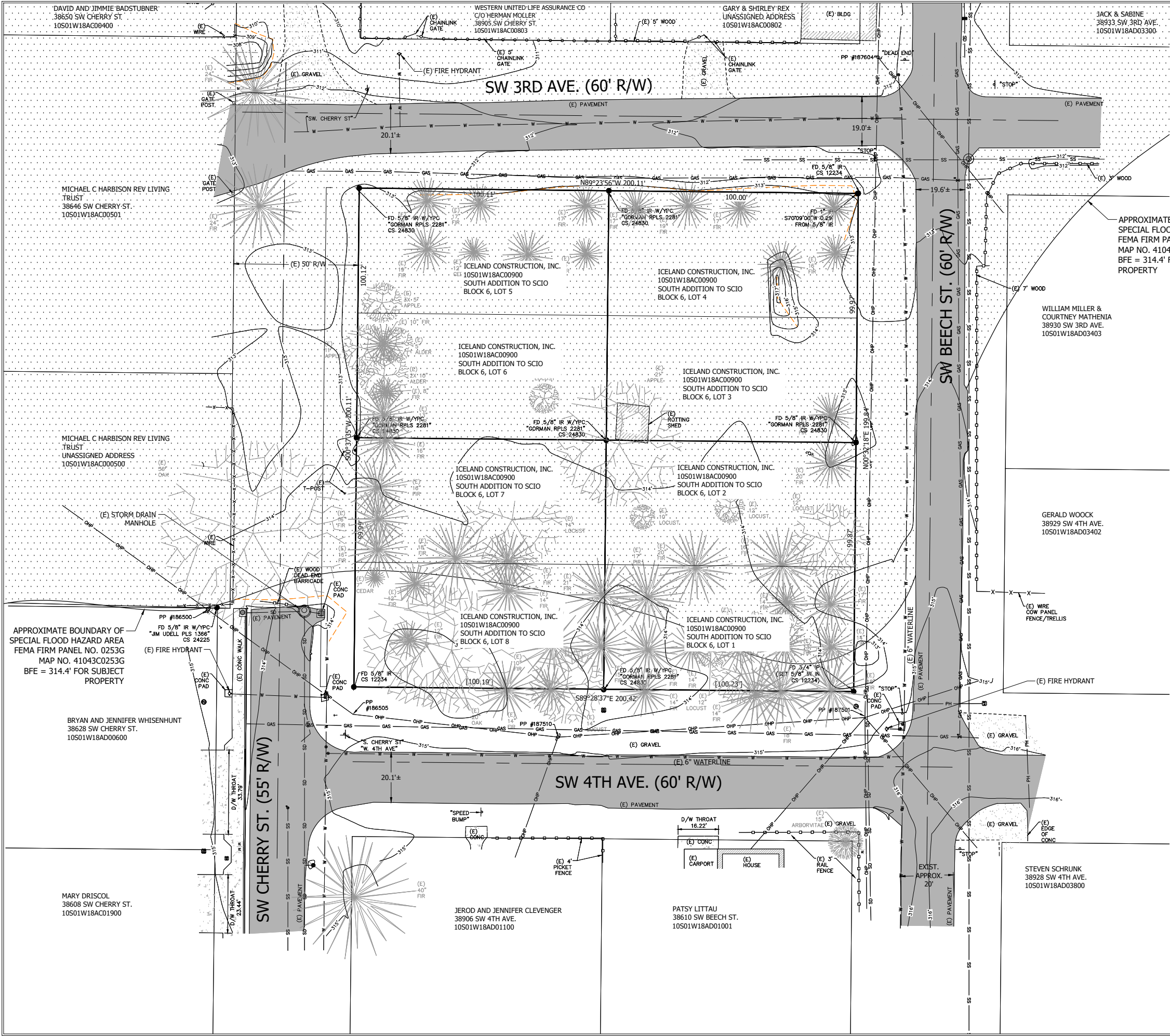
DATE: MARCH 31, 2021
PROJECT: 19-208 Nelson Scio SD
DRAWN BY: LLL & MLM
CHECKED BY: RSV

PLAN REVISIONS

DATE

Sheet **C100**

SCALE: SEE BARSCALE



LEGEND

EXISTING SYMBOL LEGEND

- EXISTING CATCH BASIN

- EXISTING WATER VALVE

- EXISTING WATER METER

- EXISTING FIRE HYDRANT

- EXISTING POWER POLE

- EXISTING SD LINE

- EXISTING SS LINE

- EXISTING WATER LINE

ABBREVIATIONS LEGEND

SS

- SANITARY SEWER

SD

- STORM DRAIN

MH

- MANHOLE

CB

- CATCH BASIN

CO

- CLEAN OUT

PP

- UTILITY POLE

R.O.W.

- RIGHT-OF-WAY

S.L.

- STREET LIGHT

FI

- FIRE HYDRANT

CI

- CURB INLET

EX OR (E)

- EXISTING

(P)

- PROPOSED

WTR

- WATERLINE

PUE

- PUBLIC UTILITY EASEMENT**DESIGN SYMBOL LEGEND**- DESIGN WATER METER- DESIGN CURB INLET- DESIGN SS MANHOLE/CLEAN OUT- DESIGN WATER VALVE

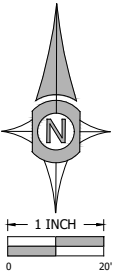
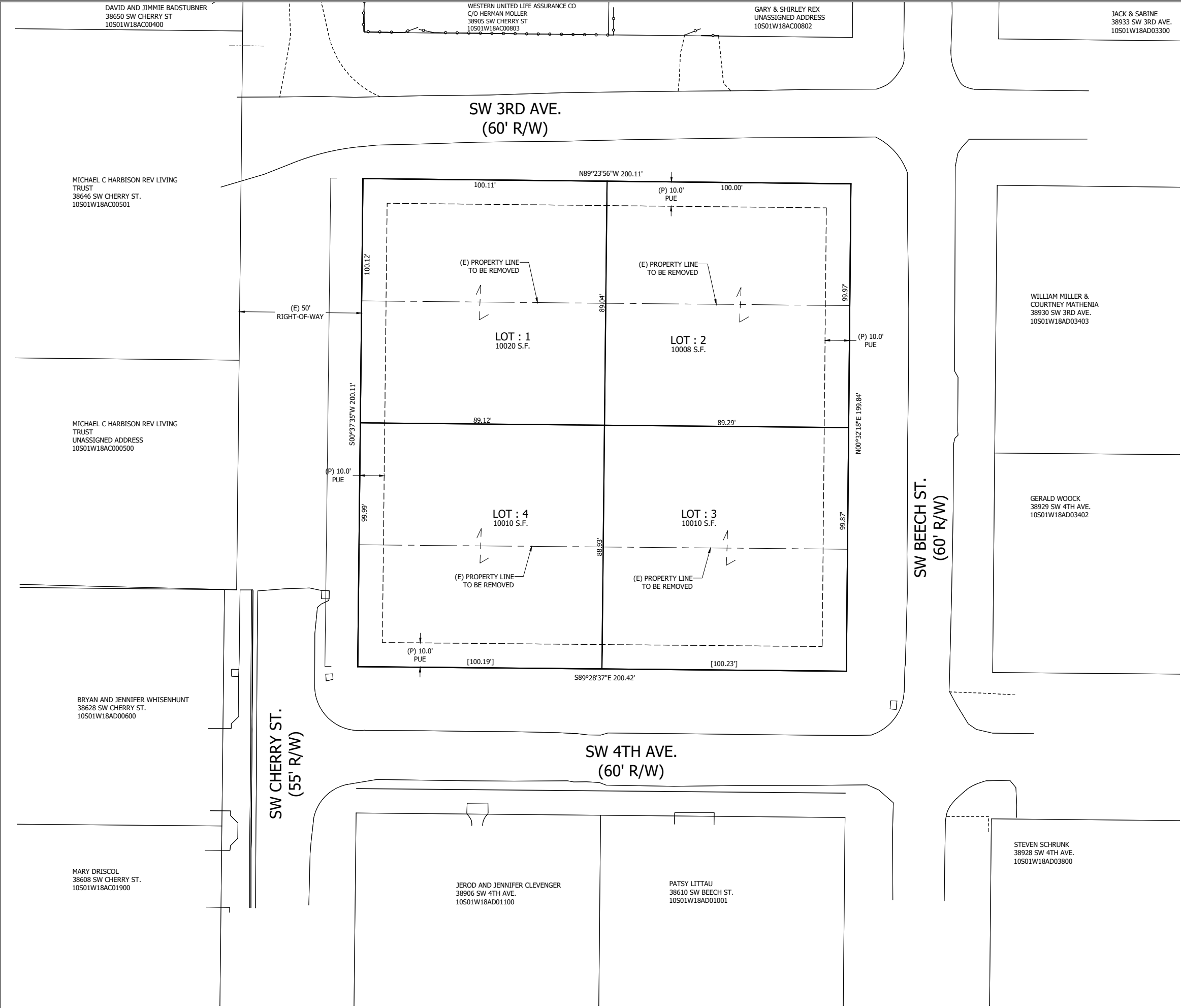
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EXISTING CONDITIONS
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

DATE: MARCH 31, 2021
PROJECT: 19-208 Nelson Scio SD
DRAWN BY: LLL & NLLM
CHECKED BY: RSV

PLAN REVISIONS	DATE



LEGEND

EXISTING SYMBOL LEGEND

- EXISTING CATCH BASIN

- EXISTING WATER VALVE

- EXISTING WATER METER

- EXISTING FIRE HYDRANT

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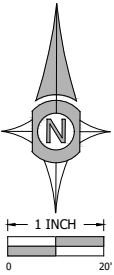
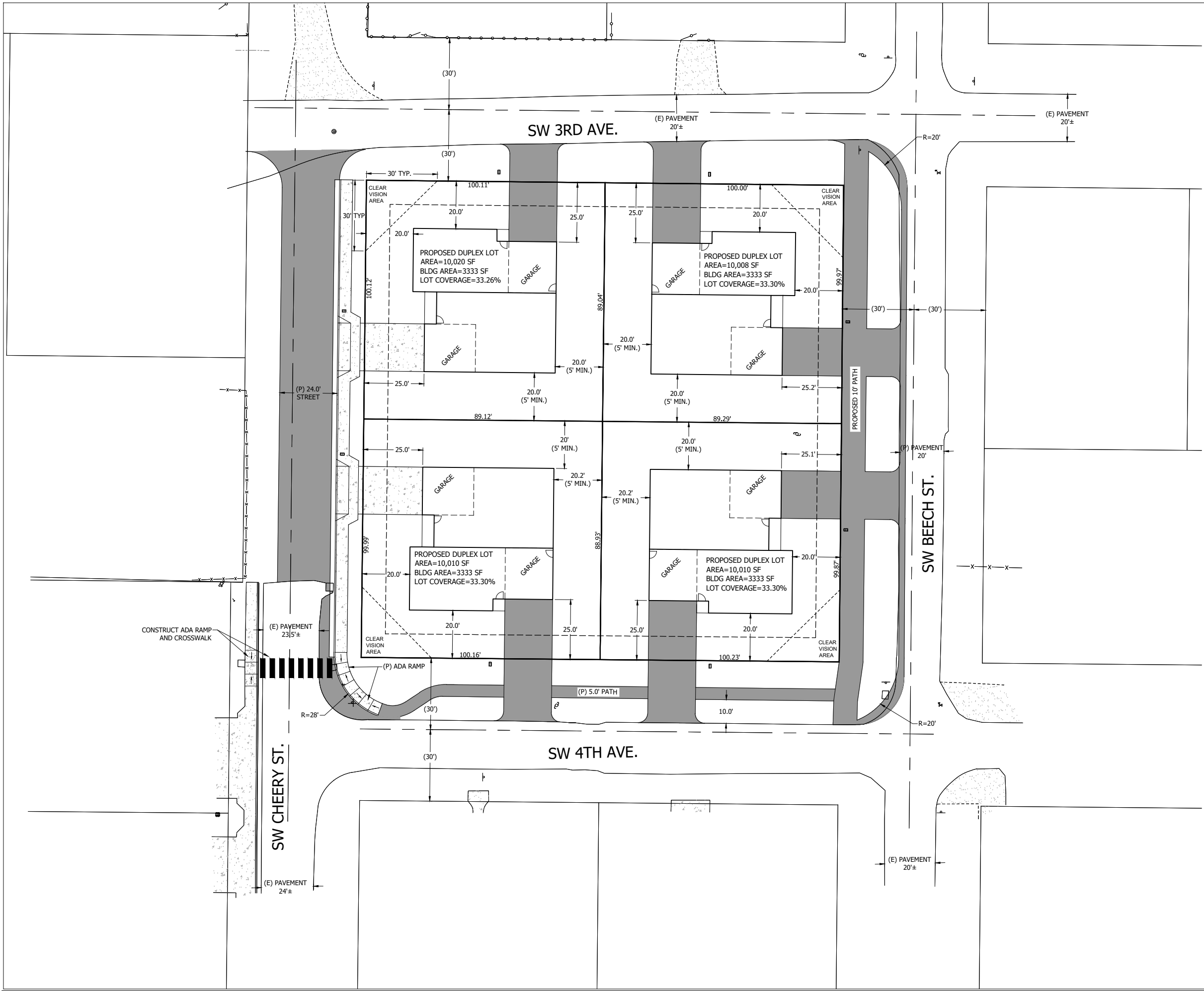
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TENTATIVE SUBDIVISION PLAT
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

DATE: MARCH 31, 2021
PROJECT: 19-208 Nelson Scio SD
DRAWN BY: LLL & HLM
CHECKED BY: RSV

PLAN REVISIONS	DATE

Sheet **C102**
SCALE: SEE BARSCALE



LEGEND

EXISTING SYMBOL LEGEND

- EXISTING CATCH BASIN

- EXISTING WATER VALVE

- EXISTING WATER METER

- EXISTING FIRE HYDRANT

- EXISTING POWER POLE

- EXISTING SD LINE

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(P)

- PROPOSED

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DESIGN SYMBOL LEGEND

- DESIGN WATER METER

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- DESIGN SS MANHOLE/CLEAN OUT

- DESIGN WATER VALVE



CLIENT:

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AND

LAND SURVEYING, LLC

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PROPOSED DEVELOPMENT

TENTATIVE SUBDIVISION

10S-01W-18AC TAX LOT 900

Scio, Oregon

DATE:
MARCH 31, 2021

PROJECT:
19-208 Nelson Scio SD

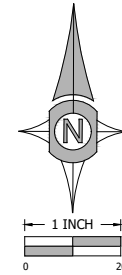
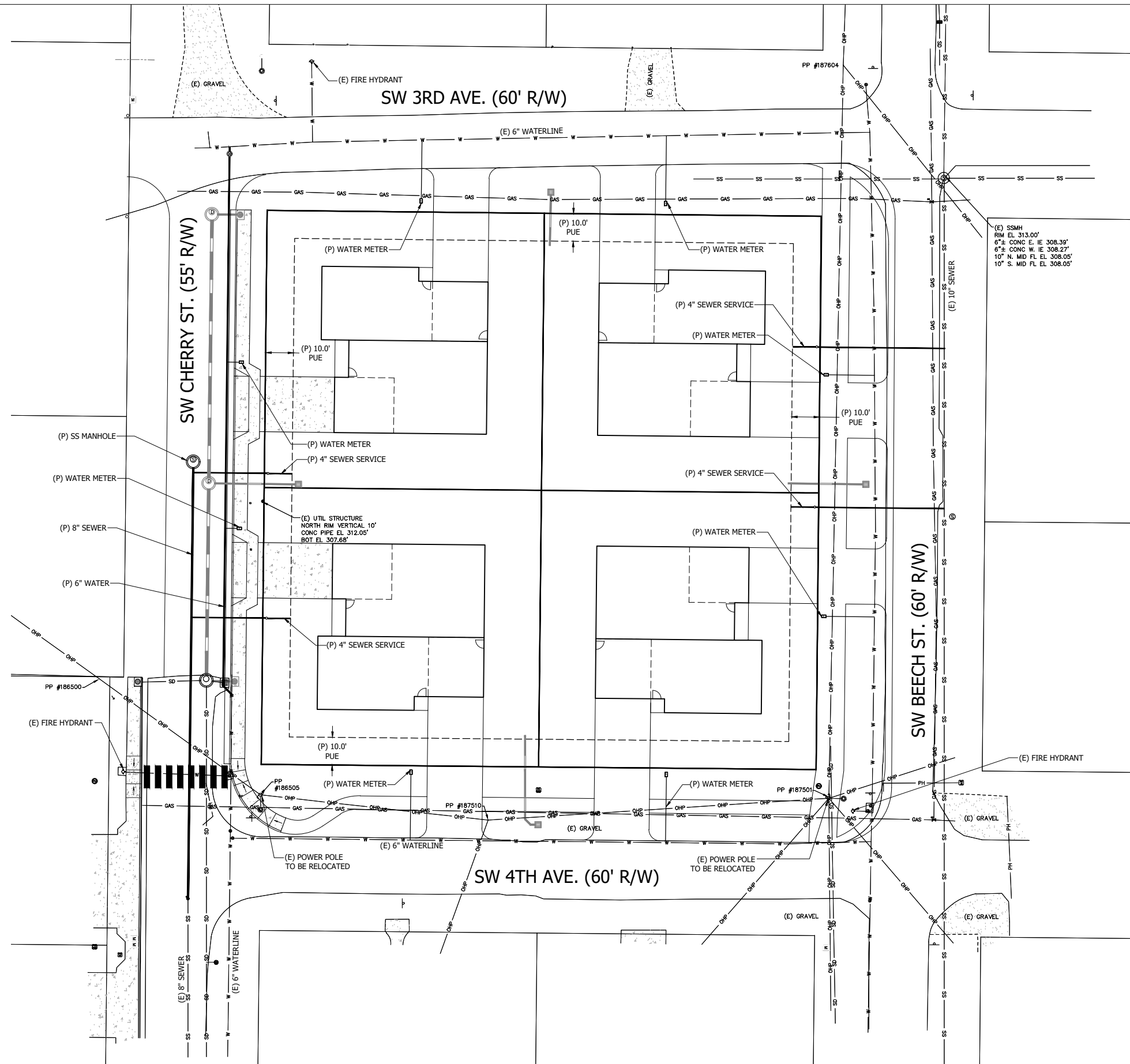
DRAWN BY:
LLJ & MLJ

CHECKED BY:
RSV

PLAN REVISIONS	DATE

Sheet **C103**

SCALE: SEE BARSCALE



LEGEND

EXISTING SYMBOL LEGEND

- EXISTING CATCH BASIN

- EXISTING WATER VALVE

- EXISTING WATER METER

- EXISTING FIRE HYDRANT

- EXISTING POWER POLE

- EXISTING SD LINE

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- EXISTING

(P)

- PROPOSED

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PUE

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DESIGN SYMBOL LEGEND

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- DESIGN WATER VALVE


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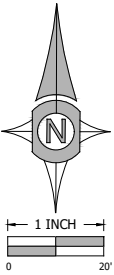
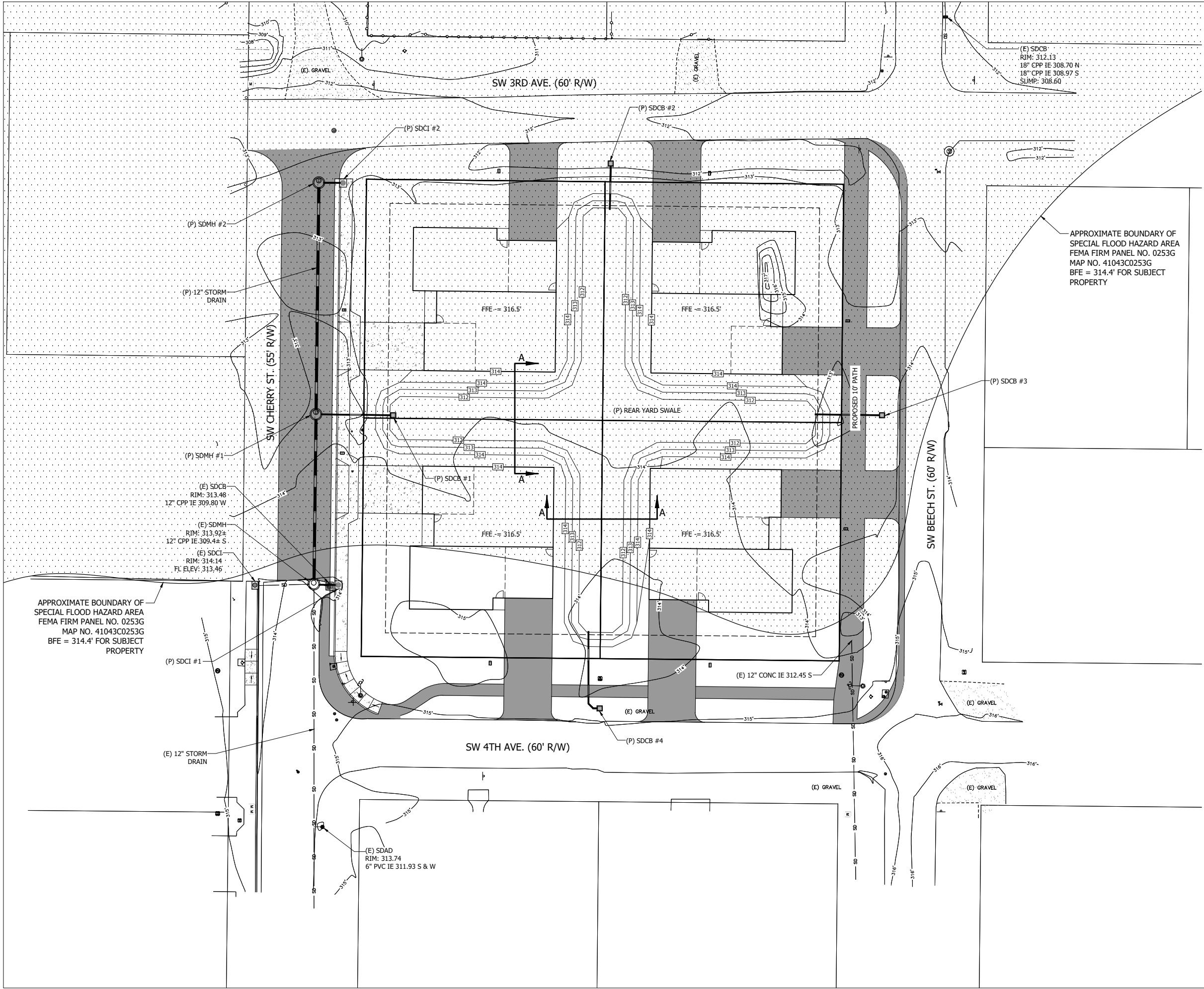
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PRELIMINARY UTILITY PLAN
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

DATE: MARCH 31, 2021
PROJECT: 19-208 Nelson Scio SD
DRAWN BY: LLL & NLM
CHECKED BY: RSV

PLAN REVISIONS	DATE

Sheet **C104**
SCALE: SEE BARSCALE



LEGEND

EXISTING SYMBOL LEGEND

- EXISTING CATCH BASIN

- EXISTING WATER VALVE

- EXISTING WATER METER

- EXISTING FIRE HYDRANT

- EXISTING POWER POLE

- EXISTING SD LINE

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(P)

- PROPOSED

WTR

- WATERLINE

PUE

- PUBLIC UTILITY EASEMENT

DESIGN SYMBOL LEGEND

- DESIGN WATER METER

- DESIGN CURB INLET

- DESIGN SS MANHOLE/CLEAN OUT

- DESIGN WATER VALVE

NOTE:
PIPE ROOF DRAINS TO REAR
YARD SWALE

PLAN REVISIONS	DATE

CLIENT:
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PRELIMINARY GRADING & DRAINAGE

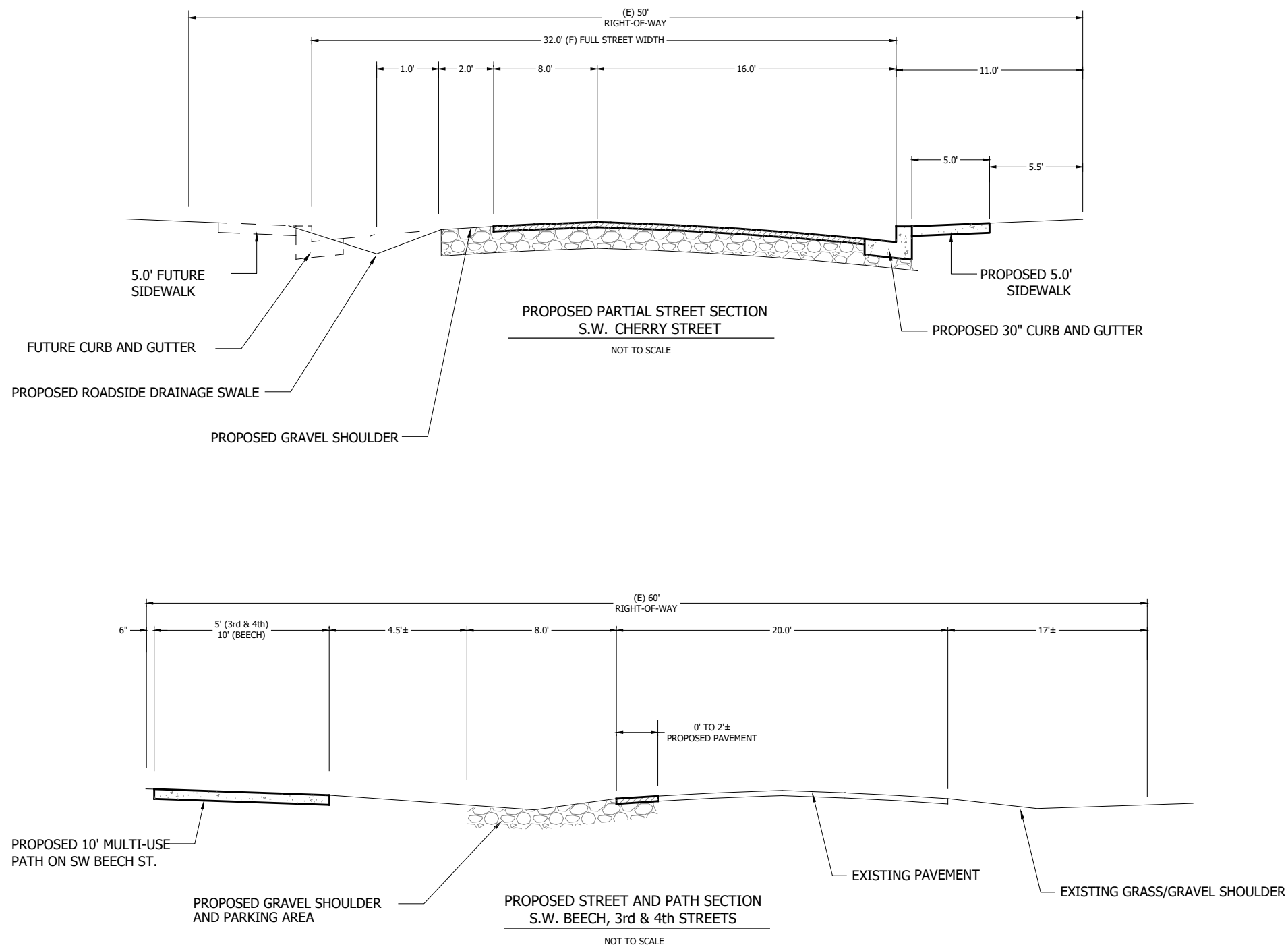
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

DATE:
MARCH 31, 2021

PROJECT:
19-208 Nelson Scio SD

DRAWN BY:
LLJ & MLJ

CHECKED BY:
BSV



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LAND SURVEYING, LLC

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STREET SECTIONS

TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900

Scio, Oregon

DATE:

MARCH 31, 2021

PROJECT:

19-208 Nelson Scio SD

DRAWN BY:

LL & MUM

CHECKED BY:

BSV

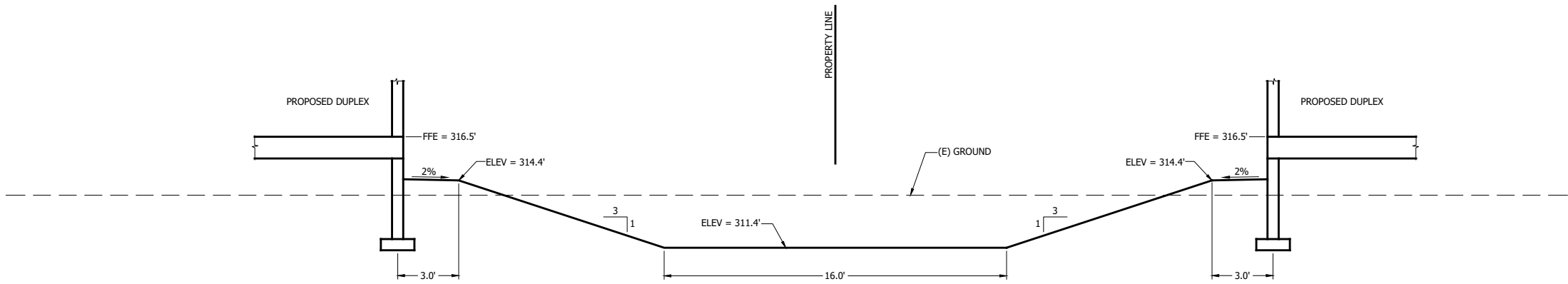
PLAN REVISIONS

DATE

Sheet

C106

SCALE: SEE BARSCALE



SECTION A-A BACKYARD SWALE

NOT TO SCALE

NOTE:
THE BACKYARD SWALE WILL PROVIDE DAY-TO-DAY DRAINAGE AND
FUNCTION TO MITIGATE LOST FLOOD STORAGE. FINAL CALCULATIONS
WILL BE SUBMITTED WITH BUILDING PERMIT DOCUMENTS.

PLAN REVISIONS	DATE

Sheet **C107**

SCALE: SEE BARSCALE



CLIENT:
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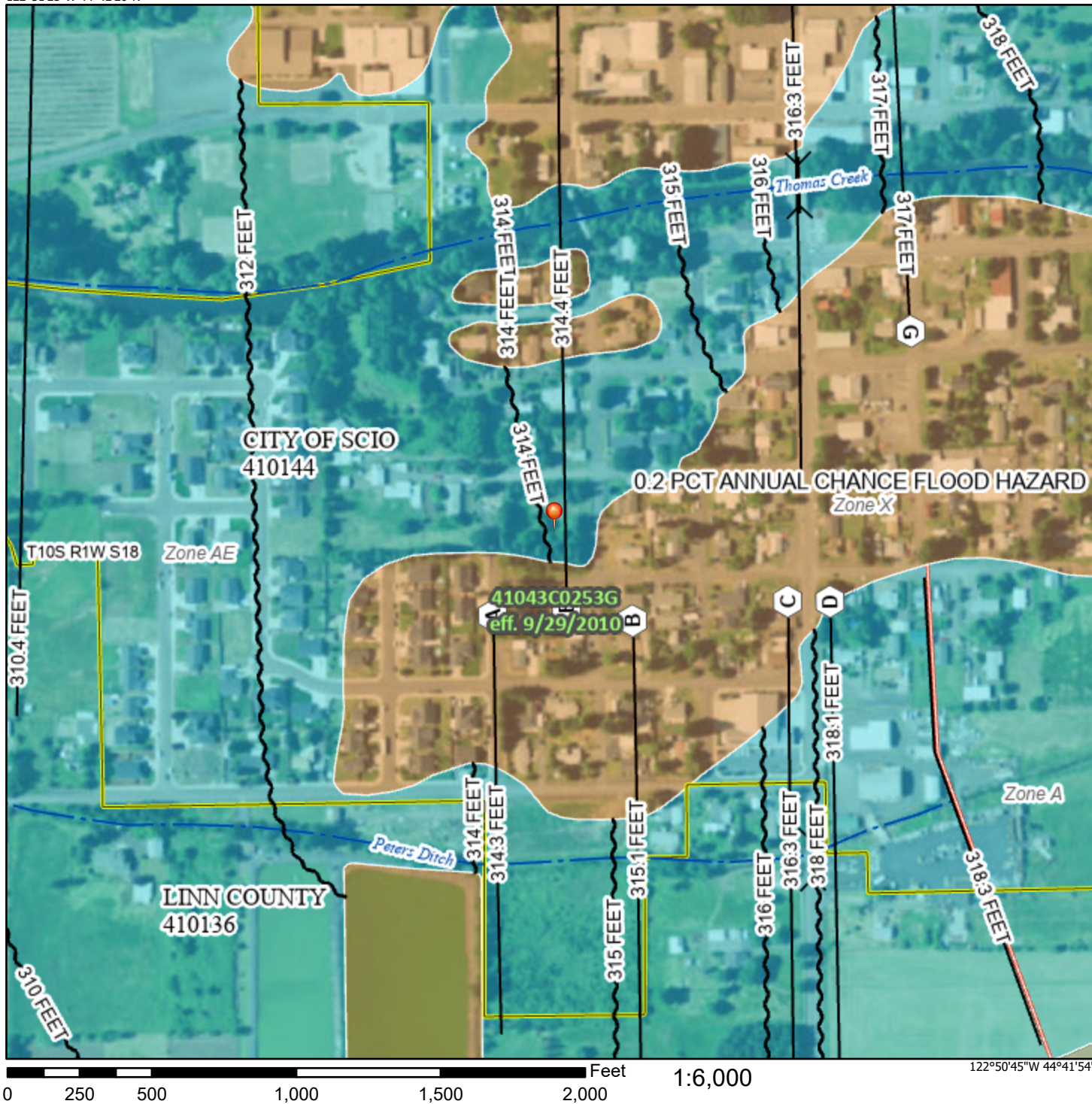
GRADING DETAILS
TENTATIVE SUBDIVISION
10S-01W-18AC TAX LOT 900
Scio, Oregon

DATE: MARCH 31, 2021
PROJECT: 19-208 Nelson Scio SD
DRAWN BY: LLL & MUM
CHECKED BY: RSV

National Flood Hazard Layer FIRMette



122°51'23"W 44°42'20"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
OTHER AREAS		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
MAP PANELS		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/23/2021 at 2:25 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



M E M O R A N D U M

DATE April 19, 2021

TO City of Scio
Cathy Martin

FROM Ryan Quigley, PE

SUBJECT Iceland Construction Duplex Development – Tentative Subdivision Site Review

Cathy,

Per the City's request, we have reviewed the tentative subdivision plans for the proposed duplex development located at the 38900 block of SW 3rd and SW 4th Avenues and have the following comments:

1. Wastewater

- a. The developer proposes to extend the existing SW Cherry St. sewer mainline from the intersection of SW 4th Ave. and SW Cherry St., approximately 170 feet to the north to serve the two duplex units on the west side of the development. The existing sewer mains in this area are 8-inch diameter PVC and directs flow to the Thomas Creek Pump Station (TCPS). We don't have any concerns with capacity in the mainline to the TCPS and understand that the TCPS is sized to handle additional development flows.
- b. The developer proposes to connect to an existing sewer mainline on SW Beech St. While not shown on the City's sewer map, we noted that there is an existing line that flows from the south, on SW Beech St.; however, it is unknown how far down Beech St. this sewer line extends. If connection is allowed to the Beech St. sewer line, it will need to be inspected via TV camera in order to review the pipe condition and total length. If the line is in poor condition or does not extend to the proposed private lateral connection points, it may need to be replaced and/or extended.
- c. The existing sewer mainline on Beech St., from SW 3rd Ave. to the Beech St. Pump Station, is identified as a priority level one replacement project in the City's Wastewater Facilities Plan (WWFP). This section of sewer mainline showed signs of inflow and infiltration (I/I) during the field work portion of the WWFP study.

In our May 19, 2020 preliminary review memo, we advised against additional connections to this line. Sewer flow from all four units should be directed to the Thomas Creek Pump Station or the City require that improvements be made to the existing sewer system on Beech St. to reduce I/I, increasing available capacity, as part of this development.

- d. DEQ approval will be required for sewer line extensions and shall be the responsibility of the developer.
- e. All applicable sections of the City of Scio Public Works Design Standards (PWDS) shall be followed for the design and construction of the sewer system.

2. Water

- a. We concur with the installation of a 6-inch diameter water line on SW Cheery St. The new line will extend from the dead end segment on Cherry St., near SW 4th Ave. and connect to the existing line on SW 3rd Ave.
- b. Adequate fire flow shall be provided to the proposed development. Three (3) existing fire hydrants are found in the vicinity, located at the intersections of SW Cherry St. and SW 4th Ave., SW 4th Ave. and SW Beech St., and SW Cherry St. and SW 3rd Ave. The City's WMP indicates that the fire flow in the area of SW 3rd and Beech St. meets the recommended basic fire flow of 2,250 gallons per minute. Existing fire hydrant location, condition and flow should be reviewed and verified with by the Scio Rural Fire District (SRFD) during design.
- c. Separate water meters have been provided for each residential unit as requested in our previous review.
- d. All mainline and service connections to the existing mainline shall be completed per the PWDS.

3. Stormwater

- a. The overall drainage plan for the subdivision includes drainage swales in the rear yards of the duplexes. It is our understanding that these swales will be used for stormwater detention and provide a balanced cut and fill to satisfy Scio's flood ordinance. The swale system is acceptable, provided:
 - i. Proper detention volume is provided and effluent stormwater flow is regulated per the PWDS.
 - ii. Maintenance of the detention system is provided by the property owners.
 - iii. An easement is granted to the City for maintenance purposes, as required to protect the public storm drain system.
 - iv. No structures or fill that might inhibit the system function are allowed to be placed in the swale area. If backyard fences are planned, the developer

shall submit a detailed fencing plan, showing how functionality will be maintained.

- v. A low flow channel is constructed in the basin to accommodate day-to-day drainage in order to reduce ponding and soil saturation.
- vi. The side slopes are constructed at a slope of 4:1 per the PWDS.
- b. Roadside stormwater catch basins are provided on SW 3rd, SW 4th and SW Beech St., discharging into the rear yard swales. Additional roadside catch basins may be required based on final grading plan.
- c. The new 12-inch storm system extension is proposed on Cherry St., from SW 4th Ave. to SW 3rd Ave. is acceptable and shall be constructed per the PWDS.
- d. Final stormwater design and detention calculations shall be completed and submitted for City review per the PWDS.

4. Transportation

- a. The proposed plan includes the construction of one-half street improvement on SW Cherry St. between SW 4th Ave. and SW 3rd Ave. The improvement includes a 24-foot pavement section with curb, gutter and sidewalk on the east side and a 2-foot gravel shoulder on the west side. The improvement is acceptable and shall be constructed per the PWDS.
- b. Replace asphalt sidewalk on SW 4th Ave. with 5-foot wide concrete sidewalk at or near the property line to allow for future street reconstruction and widening.
- c. The developer proposes to construct a 10-foot wide pathway along the property frontage to SW Beech St. We recommend the pathway width be reduced to 6 feet, changed to concrete construction and located be at or near the property line to accommodate future street reconstruction and widening. The conflict between the sidewalk and power pole #187501 will need to be addressed during design.
- d. The proposed street improvements on SW Cherry St. are acceptable. We recommend that ADA access be provided to the sidewalk at the intersection of SW 3rd Ave. and Cherry St.
- e. Final street widths of 20 feet are acceptable on SW 3rd and SW 4th Ave. Street widening will require the sawcutting of the existing road surface and construction of new asphalt sections at a minimum width of 6 feet.
- f. We recommend that the final pavement width on SW Beech St. be 24 feet, between SW 3rd Ave. and SW 4th Ave. Street widening will require the sawcutting of the existing road surface and construction of new asphalt sections at a minimum width of 6 feet.
- g. Provide street lighting at the intersection of SW Beech St. and SW 3rd Ave.
- h. Coordinate location of mail receptacles with local U.S. Post Office. Locate mail receptacles outside of vehicle and pedestrian travel areas.

5. Site Work

- a. Erosion control and adequate permitting through Oregon DEQ (1200-C) shall be required.
- b. All applicable sections of the Public Works Design standards shall be followed for the design and construction of the site.

END MEMORANDUM

Agenda Item 2



City of Scio
Covered Bridge Capital of the West

David W. Kinney
Planning Consultant for the City of Scio
791 E. Hollister St., Stayton, OR 97383
Office: (503) 769-2020 Cell: (503) 551-0899
Email: dwkinney@wvi.com

April 12, 2021

Derrick Mottern
Scio Mutual Telephone Association
PO Box 1100
Scio, OR 97374

RE: Planning File 2021-03
Property Line Adjustment
Assessor's Map 10S 01W 18AD, Tax Lots 5100, 5200 and 5300

Dear Mr. Mottern:

The property line adjustment proposal to adjust the boundary for three SMTA-owned parcels on SE 2nd Avenue in Scio, as shown on Map 1 complies with the City's application requirements.

In accordance with Scio Municipal Code, Land Division Ordinance No. 562, a lot line adjustment must be reviewed and approved by the Scio Planning Commission. The Planning Commission will hold a regular meeting on April 28, 2021 at 7:00 p.m. at City Hall to consider your application.

I recommend the Planning Commission approve your proposal because it complies with the Property Line Adjustment criteria in Section 8.540 of the Scio Land Division Code.

A. Property Line Adjustment Proposal

The Scio Mutual Telephone Association has filed an application requesting the Scio Planning Commission approve a property line adjustment to consolidate three parcels totaling 21,101 square feet (0.48-acres) of land on at 38982 SE 2nd Avenue in Scio into one parcel. The applicant intends to construct a new garage/shop building on the undeveloped portion of the site.

Table 1
**Scio Mutual Telephone Association
Proposed Property Line Adjustment**

Area	Assessor's Map and Tax Lot	Property Owner	Existing Lot Size (sf)	Area Removed (sf)	Area Added (sf)	Adjusted Lot Size
A	10S 1W 18AD TL 05100	Scio Mutual Telephone Association	10,000		11,101	21,101
B	10S 1W 18AD TL 05200	Scio Mutual Telephone Association	4,600	(4,600)	---	Eliminated
C	10S 1W 18AD TL 05300	Scio Mutual Telephone Association	6,501	(6,501)	----	Eliminated
Totals			21,101	(11,101)	11,101	21,101

Map 1

Property Line Adjustment @ 38982 SE 2nd Avenue, Scio, Oregon



B. Findings and Conclusions:

The applicant has complied with the application requirements and decision criteria for a property line adjustment set forth in Scio Land Division Code Chapter 8.5

Criteria 1: The lots being modified in size through the property line adjustment shall meet the minimum lot size, width, and street access requirements of the zone in which they are located.

Criteria 2. If, prior to application, the lot did not meet lot size or width requirements, the property line adjustment shall not result in greater nonconformity with the applicable standards. However, street access requirements shall be met on the resulting parcels

Findings: Table 1 shows the three existing parcels (TL 5100, 5200 and 5300) are owned by the Scio Mutual Telephone Association and are designated and zoned for Commercial Use. The three parcels will be consolidated into one new 0.48-acre parcel. Parcels 5200 and 5300 will be eliminated.

All parcels have frontage on SE 2nd Avenue and TL 5300 has frontage on SE Ash Street. The new parcels will retain the existing street frontage. There are no minimum lot size or width requirements in the Commercial zone.

The proposed lot complies with Criteria 1 and Criteria 2.

Criteria 3. The amended lot lines do not encroach on the location of sewage disposal or water supply lines or easements

Findings: The proposal will eliminate several interior lot lines. There is an existing 8" sewer main

which flows south across the existing TL 5200. The amended lot lines do not encroach on the location of city water lines or the sewer main.

The Applicant/City should determine if there is a public utility easement or sewer easement for the city sewer main. All existing easements shall be shown on the final plat. If there is not an existing easement, then the applicant shall grant a 20'-wide sewer easement, centered over the existing sewer main and show it on the property line adjustment survey/replat. The proposal complies with Criteria 3.

Criteria 4: The property line adjustment does not create any additional lots.

Findings: No new parcels are created. Two parcels will be eliminated. If the Planning Commission approves the property line adjustment a new partition plat survey must be prepared and recorded to eliminate the prior subdivision lines. The proposal complies with Criteria 4.

Criteria 5: The property line adjustment does not create building encroachments into any specified setback area. In situations where there is an existing building encroachment, the adjustment shall not result in a greater setback encroachment.

Findings: The existing SMTA building encroaches across a property line. The consolidation of the three parcels into one parcel will eliminate the encroachment. The proposal complies with Criteria 5.

Criteria 6: If, in the review of the property line adjustment request, the Zoning/Building Official or Planning Commission determines that the adjustment appears to be a preliminary step toward subsequent partitioning or subdivision of any or all of the affected lots, the applicant(s) shall prepare a preliminary plan showing how the property will be divided

Findings: There are no plans toward subsequent partitioning or subdivision of the lots. The proposal complies with Criteria 6.

Criteria 7: Verification of ownership for each property must be presented to the Zoning Official.

Findings: The Linn County Assessor's records show the following ownerships:

<u>Assessor's Map</u>	<u>Tax Lot</u>	<u>LC Assessor</u>	
		<u>Account #</u>	<u>Owner</u>
T10S R1W 18AD	05100	381471	Scio Mutual Telephone Association, PO Box 1100, Scio, OR 97374
T10S R1W 18AD	05200	31563	Scio Mutual Telephone Association, PO Box 1100, Scio, OR 97374
T10S R1W 18AD	05300	766441	Scio Mutual Telephone Association, PO Box 1100, Scio, OR 97374

The proposal complies with Criteria 7.

Criteria 8: The property owners of each lot affected by the property line adjustment must sign a statement of agreement with the proposed changes.

Findings: Derrick Mottern, authorized representative for the Scio Mutual Telephone Association, signed the application form on behalf of SMTA concurring with the proposal. The proposal complies with Criteria 8.

C. Planning Consultant Conclusions and Recommendation:

This property line adjustment application was submitted by the Scio Mutual Telephone Association to consolidate three parcels at 38982 SE 2nd Avenue in Scio, Oregon.

Based upon the above stated findings and conclusions, the City's Planning Consultant, acting as its Zoning Official, concludes the Scio Mutual Telephone Association's proposal for a property line adjustment complies with all applicable requirements and decision criteria of the City of Scio, Oregon and hereby **recommends the application be approved, as shown on Map 2, attached hereto, subject to the following condition of approval.**

D. Conditions of Approval:

All conditions of approval must be completed by April 30, 2022. If conditions are not completed by that date, the approval is null and void unless a written extension is granted by the City.

1. A licensed surveyor in the State of Oregon shall prepare and record a property line adjustment survey or replat with the Linn County Surveyor that complies with ORS 92 requirements.
2. Sewer Easement. The applicant shall either reference all existing public utility easements/sewer easements or shall grant a 20' wide public utility easement centered on the existing sewer main.
3. Final Plat Maps: A copy of the recorded property line adjustment survey shall be provided to the City of Scio and included in the land use file within 30 days of its recording.

E. Scio Planning Commission Action

The Scio Planning Commission will consider the proposal at its meeting on April 28, 2021. No public hearing is required. The applicant is invited to attend the meeting and present the proposal to the Planning Commission. The City staff will present the staff report to the Commission.

The Planning Commission may either:

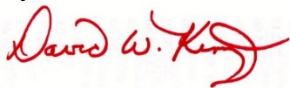
1. Approve the property line adjustment and conditions of approval (as recommended).
2. Approve the property line adjustment and conditions of approval (with modifications).
3. Deny the proposal if the Planning Commission finds it does not meet all criteria.

After the Planning Commission decision, the City's Planning Consultant will issue a Notice of Decision.

F. Right of Appeal:

Any person aggrieved by a decision of the Scio Planning Commission may file an appeal with the City Council within ten (10) days of the date the City issues a written Notice of Decision. If you have any questions regarding the Scio Planning Commission decision, you may contact Administrative Assistant Cathy Martin at City Hall at 503-394-3342.

Sincerely,



David W. Kinney
Planning Consultant for the City of Scio

Map 2
Property Line Adjustment @ 38982 SE 2nd Avenue, Scio, Oregon

